AN EXACT

Abridgment

Of all the

STATUTES

IN

FORCE and USE

From the beginning of

MAGNA CHARTA.

Begun by *Edmund Wingate* of *Grays-Inn* Esq; and since continued under their proper Titles Alphabetically down to the Year 1689.

In this Impression the *Year* of the *King*, and the *Chapter* of every *Act of Parliament* have been compared with the *Statute-Book* at large; wherein many hundreds of false References are Corrected with great Exactness and Care, to prevent the Reader's being misled as he hath been in the former Editions.

With a more compleat and exact Table then was before.

LONDON,

Printed by the Assigns of the King's Printers. And by the Assigns of *R. Atkins* and *E. Atkins* Esquires

And to be sold by *Charles Harper*, *William Crooke*, and *Richard Tonson*, at the *Flower-de-luce* in *Fleetstreet*, at the *Green-Dragon* without *Temple-Bar*, and within *Grays-Inn-Gate* next *Grays-Inn-Lane*. 1689.

AN EXACT

Abridgment

OF THE

STATUTES

IN FORCE

AND

USE.

AN ADVERTISEMENT TO THE READER.

THE *last Edition of* Wingate's Abridgment, *with the Addition of such Statutes as had been made in King* Charles *the Second's Reign, was Published in the Year of our Lord* 1684. *At which time many* Acts, *made in the* Parliament *that was call'd in the Year* 1661, *were Expired, and therefore left out of that* Edition. *But such of them as are Revived in the Reign of King* James *the Second, are supply'd in this. And the several* Acts *that pass'd* de Novo *in the* Parliament *held* Anno Dom. 1685, *are likewise here inserted under their proper Heads.*

And whereas many hundreds of Errors had crept into the last Printed Abridgment, *the Years and Chapters of very many* Sta-

tutes *being false Printed, for want of comparing them with the* Statutes at large, *which proved many times a great disappointment to the Reader; and if the same Neglect had gone on, the Errors would have multiply'd, and the Book have become in a manner useless: Great care has now been taken to compare the Year of the King, and the Chapter of every particular Statute with the* Statute-Book at large, *insomuch that it's hoped there is not so much as one Mistake therein committed in this Edition.*

Many other Errata's of the Press have also been amended, and the Tables *survey'd and suited to the Book, as it is at present.*

J. Washington.

A N

AN EXACT ABRIDGMENT OF ALL STATUTES

In *Force* and *Use* until the 22th of *November* in the Third Year of King *James* II. *An. Dom.* 1687.

Ability, and Non-ability.

I. Stat. *Articuli Cleri, cap.* 4. *Anno* 9 *E.* 2. The examination of a person presented to a Benefice belongeth to the *Ecclesiastical* Judge.

II. Stat. 25 *E.* 3. *Stat.* 2. *De natis ultra mare.* The Kings Children are inheritable in *England*, wheresoever born.

III. Subjects Children (born beyond Sea) are also inheritable, so that their Parents at the time of their birth were within the Kings Allegiance, and that the Mother went beyond Sea with her Husbands consent.

IV. If Bastardy be alledged against any born beyond Sea, the Certificate shall be made by the Bishop of the Place where the Land demanded lieth.

V. Stat. 42 *E.* 3. 10. Children born beyond Sea in the Kings Dominions, shall be inheritable in *England.*

VI. Stat. 31 *H.* 8. 6. Religious persons professed in Corporations seised by the King, shall be enabled to inherit, purchase, sue, and to be sued, and also to have and enjoy any matter or thing which shall accrue unto them since that their deraignment, but shall not sue for any former right descended upon them.

VII. Religious persons being Priests, or that have vowed Religion at Twenty one years of age, shall not marry.

VIII. Stat. 33 *H.* 8. 29. Religious persons professed in Corpo-

rations translated from one kind to another, shall be enabled to inherit, purchase, sue, and be sued, *&c.* as well as in those seised by the King.

IX. Stat. 5, 6 *E.* 6. 13. Religious persons shall be adjudged inheritable to their Ancestors only from the time of their deraignement, but not by reason of any former right accrued before such deraignment.

X. Stat. 16, 17 *Car.* 17. An Act for disabling all persons in holy Orders to exercise any Temporal Jurisdiction or Authority. Repealed 13 *Car.* 2. *cap.* 2.

Accounts.

I. Stat. *Marlebridge, cap.* 23. 52 *H.* 3. Bailiffs of Lords who withdraw themselves from accounting, and have not whereof to be distrained, shall be attached by the Sheriff, and made to account.

II. Stat. *mist.* 2. *cap.* 11. 15 *E.* 1. Servants, Bailiffs, or other Accountants that are found in arrearages by Auditors assigned by their Masters, upon the testimony of the same Auditors, shall be committed to the next Gaol, and there remain in Iron under safe custody at their own costs, until they shall have satisfied their Masters.

III. Here, if the Accountant find himself aggrieved by the Auditors, he may appeal to the Barons of the Exchequer, and then the Sheriff shall give notice to his Master to attend the Barons at a certain day with the Account, where the Barons, or Auditors by them assigned, shall rehearse the Account, and do justice therein: But if then also the Accountant shall be found in arrear, he shall be committed to the Fleet.

IV. If he flie, or will not account, a *Distringas* shall issue out against him, to cause him to appear before the Justices to account: and upon appearance, Auditors shall be assigned him; by whom if he be found in arrear, and not able to pay, he shall be committed to the Gaol, as aforesaid. But if he flie, and the Sheriff return thereupon *Non est inventus*, after *Exigent*, he shall be outlawed, and then being taken, he shall not be replevisable without the Masters consent, in pain that the Sheriff, Gaoler, or, *&c.* who doth so bail him (being thereupon convict) shall answer the Master his damages; and if an inferiour Officer, who so doeth, be not responsible, *Respondeat superior.*

V. Stat. 6 *H.* 4. 3. Immediately after the Sheriffs, Escheators, Aulnegers, Customers, Controllers, and other the Kings Officers, shall have accounted in the Exchequer, Commissions shall be sent down to enquire of their Accounts: and if fraud shall be found therein, they shall incur the penalty of treble damages to the King, and shall suffer imprisonment, not to be enlarged until they have made Fine at the discretion of the Judges.

VI. Stat. 1 *E.* 3. 14. Accountants for Dismes (granted by the Clergy

Clergy of the Provinces of *Canterbury* or *York*) are not chargeable to answer other mens suits in the Exchequer, (by reason of their appearance there to account) save only for such things as concern their Account: howbeit they may be sued in any other Court, notwithstanding such priviledge of being Accountants.

VII. Stat. 13 *Car.* 2. *cap.* 3. An Act for the declaring, vesting and settling of all such Moneys, Goods, and other things in his Majesty, which were received, levied, or collected in the late Times, and are remaining in the hands or possession of any Treasurers, Receivers, Collectors, or others not pardoned by the Act of Oblivion. Provided that this Act shall not extend to call any person to account after the 24*th* of *June* 1662. See the Act at large.

VIII. Stat. 13. *Car.* 2. 13. An Act for vesting the arrears of the Excise and new Impost in his Majesty. No person shall be molested for any of the Duties hereby vested in his Majesty, unless prosecuted before the 25*th* of *December* 1662.

IX. Stat. 13 and 14 *Car.* 2. *cap.* 14. An Act directing the prosecution of such as are accountable for prize Goods. See the Statute at large.

X. Stat. 13 and 14 *Car.* 2. *cap.* 16. An Act for the more speedy and effectual bringing those persons to account, whose Accounts are excepted in the Act of Oblivion. See the Act at large.

XI. Stat. 16 and 17 *Car.* 2. *cap.* 6. An Act for repealing part of 13 and 14 *Car.* 2. *cap.* 14. See the Act at large.

XII. Stat. 19 *Car.* 2. *cap.* 9. An Act for taking the account of several sums of Money therein mentioned. See the Act at large.

XIII. Stat. 22 and 23 *Car.* 2. *cap.* 21. An Act for taking the accounts of 60000 *l.* and other Moneys given to loyal and indigent Officers. See the Stat.

Accusations.

I. Magna Charta 29. 9 *H.* 3. No free-man shall be taken, imprisoned, disseised, outlawed, exiled, or otherwise destroyed or condemned, without trial by his Peers or the Law: Justice or Right shall not be sold, denied, or deferred to any.

II. Stat. 5 *E.* 3. 9. None shall be attached upon any accusation, nor fore-judged of life or limb, nor his Lands or Tenements, Goods or Chattels seised into the Kings hands, against the form of the great Charter, and the Law of the Land.

III. Stat. 25 *E.* 3. 4. *Stat.* 5. None shall be apprehended upon Petition or Suggestion made to the King or his Councel, unless by Indictment or Presentment of lawful men, or by Process at the Common Law.

IV. None shall be outed of his Franchises or Free-hold, but by way of Law: and if any thing be done against the same, it shall be redressed, and holden for none.

V. Stat. 28 *E.* 3. 3. None shall be put from his Land or Tene-

ment, imprisoned, disinherited, or put to death, without being brought in to answer by due process of Law.

* VI. Stat. 37 *E.* 3. 18. Promoters of Suggestions to the King shall find surety before the Chancellor, Treasurer, and the Kings Great Council, to pursue their Suggestions, and to incur the pain which the accused should suffer, in case the Suggestion hold not: And then process shall issue out against the accused, without being taken or imprisoned, against the form of the great Charter.

* VII. Stat. 38 *E.* 3. 9. If the promoter of the Suggestion cannot make it good, he shall be imprisoned, until he satisfie the party grieved his damages, and shall also make fine to the King.

VIII. The clause of the 37 *E.* 3. 18. for incurring the like pain, shall be taken away.

IX. Stat. 42 *E.* 3. 3. None shall be put to answer an accusation to the King without presentment, or some matter of Record; and what is done otherwise shall be void, and holden for errour.

X. Stat. 17 *R.* 2. 6. Upon an untrue Suggestion made against any in the Chancery, the Chancellor may award damages.

XI. Stat. 15 *H.* 6. 4. None shall sue forth a *Subpœna*, until he find surety to satisfie the Defendant his damages and costs, in case he do not verifie his Bill.

Actions popular.

☞ I. Stat. 4. *H.* 7. *cap.* 20. Recovery in an Action popular by Covin shall be no bar in an Action sued for the same thing *bona fide*.

II. Here the Defendant attainted of Collusion shall suffer two years imprisonment, to be prosecuted within one year.

III. No release of a common person shall in this case discharge an Action popular.

IV. Yet no Collusion is in this case averrable, where the point of the same Action or the Collusion it self hath been tried by Verdict.

☞ V. Stat. 31 *El.* 5. Informers heretofore restrained by order of any Court, shall not pursue Actions popular.

VI. In popular Actions the offence shall be laid to be done in the County where indeed it was done: otherwise, if the Defendant traverse and disprove that point, the Plaintiff shall be barred.

VII. This Act doth not restrain Officers which have lawfully used to exhibit Informations, nor Actions brought for Champerty, buying of Titles, Extortion, offences against the Statute of 1 *El.* 11. (concerning the right landing of Merchandise, and custom of Sweet Wines) concealing of customs, *&c.* corrupt usury, forestalling, regrating or ingrossing, when the penalty shall amount to 20 *l.* or above: For in all these cases the offence may be laid in any County.

* VIII. Popular Actions, where the King only hath the forfeiture, shall be commenced within two years; where he hath only

part, and the Informer the reſt, within one year: but this is to be underſtood, where a ſhorter time is not limited by any Statute.

* IX. All Suits for uſing unlawful Games, or any Art or Myſtery without being brought up in it; and for not having Bows and Arrows according to the Statute, ſhall be proſecuted at the Aſſiſes, or Seſſions of the County, or at the Leet, within which the offence was committed, and not elſewhere.

☞ * X. Stat. 21 *Jac.* 4. Actions popular, which may be preſented before Juſtices of Aſſiſe, *Niſi prius*, G. D. *Oyer* and *Terminer*, or of *P.* ſhall be proſecuted only in the Counties where the offences were committed; except for Recuſancy, Maintenance, Champerty, buying of Titles, concealing of Cuſtoms, *&c.* or tranſporting of Gold, Silver, Munition, Wooll, Wooll-fells, or Leather.

XI. Upon default of proving that the offence was committed in the ſame County, the Defendant ſhall be found Not-guilty.

XII. The Informer ſhall make oath that the offence was committed in the ſame County where the Action is laid, and within one year before the Suit commenced.

* XIII. The Defendant in a popular Action may plead the general Iſſue, and yet give ſpecial matter in evidence.

Addition.

I. Stat. 1 *H.* 5. 5. In Original Writs, where *Exigent* ſhall be awarded, Additions of the Defendants Condition and Dwelling ſhall be inſerted.

II. Outlawries otherwiſe proſecuted, ſhall be void.

III. Surpluſage of Addition ſhall not prejudice, albeit the Writ do therein vary from the Records and Deeds.

IV. The Clerks of the Chancery ſhall not omit ſuch Additions, on pain to be Fined at the diſcretion of the Chancellor.

Adjournment.

I. Stat. 2 *E.* 3. 11. The Common Bench ſhall not be removed without warning by Adjournment.

Admeaſurement of Dower.

I. Stat. *weſt.* 2. *cap.* 7. 13 *E.* 1. A Guardian ſhall have a Writ of Admeaſurement of Dower; yet the heir (at full age) ſhall not be barred by that Suit, in caſe it be proſecuted by Colluſion.

II. When it comes to the great Diſtreſs, days ſhall be given, within which two Counties may be holden, where Proclamation ſhall be made for the Defendant to come in at the day contained in the Writ: at which if the Defendant appear, the Plea ſhall proceed; but if not, upon the Proclamation returned by the Sheriff, and the Defendants default, Admeaſurement ſhall be made.

Admeasurement of Pasture.

I. West. 2. *cap.* 8. 13 *E.* 1. Upon a second overcharge of Pasture, if the Pasture were admeasured before the Justices, the remedy shall be by Writ judicial, returnable before the Justices under the Seals of the Sheriff and Jurors: and then the Justices shall award Damages to the Plaintiff, and shall Estreat into the Exchequer the value of the beasts (wherewith the Pasture was so overcharged) to be answered to the King.

II. If the Admeasurement were made in the County, the Sheriff by a Chancery-Writ shall enquire of the Surcharge, and value of the Beasts, and shall answer the same to the King in the Exchequer.

III. To prevent fraud in the Sheriff, all such Writs *De secunda super-oneratione* shall be Enrolled, and also at the years end transcribed in the Exchequer; and so likewise shall Writs of *Rediſſeiſin*.

Administrators.

I. Stat. 31 *E.* 3. 11. The Ordinaries shall depute the next and most lawful Friends of the Intestate to Administer his Goods; which Deputies shall have the benefit, and incur the charge of an Executor, and shall also be accountable to the Ordinaries as Executors.

II. Stat. 21 *H.* 8. *cap.* 5. Administration of Intestates Goods shall be granted to the Widow, or next of Kin to the Intestate, or both, as the Ordinary shall think fit.

☞ *See what Fees only ought to be paid for Probate of Wills, and obtaining Administrations, and upon what Penalties upon exaction, post Title* Probate of Testaments.

III. Stat. 22 and 23 *Car.* 2. *cap.* 10. All Ordinaries and Ecclesiastical Judges having power to commit Administration, shall upon their granting Administration of Intestates Goods, take Bonds with Sureties, two or more, in the name of the Ordinary, with this Condition, *viz.*

The Condition of this Obligation is such, That if the within-bounden A. B. *Administrator of all and singular the Goods, Chattels, and Credits of* C, D. *deceased, do make, or cause to be made a true and perfect Inventory of all and singular the Goods, Chattels and Credits of the said Deceased, which have or shall come to the hands, possession or knowledge of him the said* A. B. *or into the hands and possession of any other person, or persons for him, and the same so made, do exhibit or cause to be exhibited into the Registry of Court, at or before the day of next ensuing; and the same Goods, Chattels and Credits, and all other the Goods, Chattels and Credits of the said Deceased at the time of his death, which at any time after shall come to the hands or possession of the said* A. B. *or into the hands and possession of any other person or persons for him, do well and truly Administer according to Law; and further do make, or cause*

cause to be made a true and just account of his said Administration, at or before the day of And all the rest and residue of the said Goods, Chattels and Credits which shall be found remaining upon the said Administrators account, the same being first examined and allowed of by the Judge or Judges for the time being, of the said Court, shall deliver and pay unto such person or persons respectively, as the said Judge or Judges by his or their Decree or Sentence pursuant to the true intent and meaning of this Act, shall limit and appoint; and if it shall hereafter appear, that any last will and Testament was made by the said Deceased, and the Executor or Executors therein named do exhibit the same into the said Court, making request to have it allowed and approved accordingly, if the said A. B. within bounden being thereunto required, do render and deliver the said Letters of Administration (approbation of such Testament being first had and made) in the said Court; then this Obligation to be void and of none effect, or else to remain in full force and virtue.

IV. The Ordinaries, &c. may call such Administrators to account, and order distribution of what remaineth after Debts, Funerals, and just Expences of all sorts allowed, according to the Laws in such cases, and the Rules hereafter set down; saving to persons aggrieved their right of appeal.

V. The Customs of the City of *London*, and Province of *York*, and other Places, saved.

VI. The surplusage shall be distributed as follows, *viz.* one third to the Wife of the Intestate, the residue among his Children, and such as legally represent them, if any of them be dead, other than such children (not heirs at Law) who shall have any Estate by settlement of the Intestate in his life-time, equal to the other shares: Children, other then heirs at Law, advanced by settlements or portions not equal to the other shares, shall have so much of the surplusage, as shall make the Estate of all to be equal. But the Heir at Law shall have an equal part in the distribution with the other Children, without any consideration of what he hath by descent, or otherwise from the Intestate.

VII. If there be no Children, nor legal Representatives of them, one moiety shall be allotted to the Wife, the residue equally to the next of Kindred to the Intestate in equal degree, and those who represent them.

VIII. No Representatives shall be admitted among Collaterals after Brothers and Sisters Children. And if there be no Wife, all shall be distributed among the Children, and if no Child, to the next of Kin to the Intestate in equal degree, and their Representatives, *ut supra.*

IX. No such distribution shall be made till after one year after the Intestates death, and every one to whom any shares shall be allotted, shall give Bond with Sureties in the said Courts, that if Debts afterwards be made to appear, he shall refund his ratable part thereof, and of the Administrators charges.

X. In all cases where the Ordinary hath used to grant Administration, *cum Testamento annixo*, he shall continue so to do.

XI. This Act shall continue seven years, and from thence to the end of the next Session of Parliament.

XII. Stat. 1. *Jac.* 2. *cap.* 17. The Act next above made perpetual.

XIII. Stat. 29. *Car.* 2. *cap.* 3. The Act of 22. & 23. *Car.* 2. *cap.* 10. shall not extend to the Estates of Feme Coverts, that die Intestate, but that their Husbands may have Administration of their personal Estates, as before the making of the said Act. Made perpetual 1 *Jac.* 2. *Cap.* 17.

XIV. Stat. 30 *Car.* 2. *Cap.* 6. An Act of this Parliament, Entituled, An Act for avoiding unnecessary Suits and delays, (*whereby amongst other things it was Enacted, That an Administrator de bonis non may sue a* Scire Facias, *and take Execution upon a Judgment had in the name of an Executor or Administrator*) shall be in force from the first day of this Session for seven years, and from thence to the end of the next Session of Parliament. Made perpetual.

XV. Stat. 1 *Jac.* 2. *cap.* 17. No Administrator shall be cited into any Ecclesiastical or other Courts having right to take Probate of Wills, to render an Account of the Personal Estate of his Intestate, otherwise then by an Inventory thereof, unless at the Instance of some person in behalf of a Minor, or having a Demand out of such Estate as a Creditor, or next of kin; nor shall be compellable to Account before any Ordinary or Judge employed by the Act of 22 & 23 *Car.* 2. *cap.* 10. otherwise then as aforesaid.

XVI. If after the death of a Father, any of his Children shall die Intestate without Wife or Children in the life-time of the Mother, every Brother and Sister and their representatives shall have equal share with her.

XVII. The Clause in the said Act *For the better Settling Intestates Estates*, by which is provided, That that Act shall not prejudice the Customs of the City of *London* and Province of *York*, shall not be construed to extend to such part of any Intestates Estate, as an Administrator, by vertue of his being so, by pretence of any Custom may claim, to exempt the same from distribution.

Admiralty.

I. Stat. 13 *R.* 2. 5. The Admirals or their Deputies shall not meddle with any thing done within this Realm, but only upon the Sea.

II. Stat. 15 *R.* 2. 3. The Admirals Court shall not have Cognisance of any thing done within the bodies of Counties, as well by Land as by Water, not with Wrecks of the Sea.

III. Of the death of a Man, and of a Maihem done in great Ships hovering in the main Stream of great Rivers (beneath the Bridges

near the Sea) the Admiral ſhall have Cogniſance, and likewiſe to arreſt Ships in great Fleets, for the great Voyages of the King and Kingdom; and ſhall alſo have Juriſdiction in ſuch Fleets during ſuch Voyages: Saving to the King his Forfeitures, and to Lords, Cities and Boroughs their Liberties and Franchiſes.

IV. Strat. 2 *Hen.* 4. 11. The Statute of 13 *R.* 2. 5. is confirmed.

V. The party grieved by the non-obſervance of that Statute, ſhall (by Action upon his Caſe) recover double Damages againſt the Proſecutor in the Admiralty, and the Proſecutor ſhall alſo forfeit Ten pounds to the King, being thereof attainted.

VI. Strat. 8 *El.* 5. A Sentence definitive in a Civil and Marine Cauſe by Delegates appointed by Commiſſion (upon an Appeal duly made in the Chancery) ſhall be final. *Admiralty Court, ſee Title* Courts.

Advouſon.

I. Weſt. 2. *c.* 5. 13. *E.* 1. Uſurpation of Churches during Wardſhip, particular Eſtates, Coverture, or Vacancy, ſhall not bar the Heir at full age, the Reverſioner or Remainder in poſſeſſion, the Feme Diſcovert, or the Spiritual perſon in ſucceſſion, from having the Writ of Advouſon poſſeſſory, *viz. Quare Impedit*, or an Aſſiſe of *Darrein Preſentment*, as their Anceſtor or Predeceſſor might have had, if the Uſurpation had happened in their time: whereas before this Act they were (in ſuch caſes) put to their Writ of right of Advouſon.

II. Howbeit this Act ſhall not extend to annul Judgments already given, but they ſhall be reverſed by Error or Attaint.

III. One and the ſame form of Pleading ſhall be uſed in *Darrein Preſentment* and *Quare impedit*; *viz.* If the Defendant alledgeth Plenarty, of his own Preſentation, the Plea ſhall not ſtay by reaſon of the Plenarty, ſo as the Writ be purchaſed within the ſix months, albeit he cannot recover within that time.

IV. Where Partition is made upon Record or by Fine to Preſent by turn, the Coparcener that is diſturbed, ſhall not be put to a *Quare impedit*, but may have remedy upon the Roll or Fine by *Scire facias*.

V. When ſix months paſs hanging a *Quare impedit*, or *Darrein preſentment*, ſo that the Biſhop preſents by Lapſe, the Patron ſhall recover Damages to two years value of the Church; otherwiſe Damages only to have a years value.

VI. The Diſturber not being able to render Damages, ſhall in the firſt caſe have impriſonment of two years, and in the other of half a year.

VII. Writs alſo ſhall hereafter be granted for Chappels, Prebends, Vicarages, Hoſpitals, Abbeys, Priories, and other Houſes, which be of the Advouſons of other men.

VIII. When the Parſon of a Church is diſturbed to demand Tithes

In the next Parish by *Indicavit*, the Patron shall have a Writ to demand the Advouson of those Tithes; and when it is deraigned, then shall the Plea pass in the Court Christian.

IX. Amongst Coparceners, if one present twice together, yet shall not the other be barred, but have his or her turn when it falleth.

X. Prerog. Reg. *cap.* 8. 17 *E.* 2. Lapse of six months shall not prejudice the Kings Presentation to a Church.

XI. Stat. de Clero *cap.* 3. 23 *E.* 3. When the King Collates to the Church in anothers right, his Title shall be well examined, and the Patron grieved shall have as many Writs thereupon as shall be needful.

XII. Stat de Clero *cap.* 7. 25 *E.* 3. When the Ordinary Presents by Lapse, and the King takes the Suit against the Patron who in deceit suffers the King to recover; in this case, when the Kings right is not tried, the Ordinary or Incumbent may counterplead the Kings Title.

Affidavit.

I. Stat. 16 & 17 *Car.* 2. *cap.* 9. The Chancellor of the Dutchy and County Palatine of *Lancaster* may from time to time impower persons within the County Palatine, and other Dutchy Liberties, to take Affidavits concerning any matter depending in the Court of Dutchy Chamber, which shall be filed in the Office of the Clerk of the Court of the Dutchy, and made use of as other Affidavits taken in the said Court are.

II. The person taking such Affidavit shall receive but 12 *d.* for so doing.

III. Stat. 29 *Car.* 2. *cap.* 5. The Chief Justice, and other the Justices of the Court of Kings Bench, or any two of them, whereof the Chief Justice to be one for that Court; the Chief Justice of the Common-Pleas, and the rest of the Justices there, or two of them, whereof the Chief Justice to be one for that Court, and the Lord Treasurer, Chancellor and Barons of the Exchequer, or two of them, whereof the Lord Treasurer, Chancellor, or Chief Baron to be one for that Court, may by *Coissons* under the Seals of the said respective Courts from time to time, impower persons in the several Countries, to take Affidavits concerning any thing depending, or concerning any Proceedings in the said Courts, as Masters of Chancery in extraordinary use to do. And any Judge of Assize in his Circuit may take Affidavits concerning any thing depending, *&c.* as aforesaid. Which Affidavits shall be Filed in the several Offices of the said Courts, and be made use of as other Affidavits taken in the said Courts. And all persons forswearing themselves in such Affidavits, shall incur the same Penalties as if they had been taken in open Court.

IV. The persons taking such Affidavits shall receive only 1 *s.* for

for ſo doing, beſides the Kings Duty: which Duty ſhall be paid to the proper Officers in the ſaid Courts before ſuch Affidavit be there Filed or made uſe of.

Age.

I. Weſt. 1. *cap.* 46. 3 *E.* 1. If a Writ of *Novel diſſeiſin* be purchaſed, and the diſſeiſor die before the Aſſiſe be paſſed, the Plaintiff ſhall have a Writ of Entry *ſur diſſeiſin* againſt his Heir. The like Writs ſhall the Heir of the Diſſeiſee have, in caſe he die, *&c.*

II. And here Nonage of the Heir of the Diſſeiſor or Diſſeiſee ſhall not prejudice in Aſſiſe.

III. If the Inqueſt paſs againſt the Heir of the Diſſeiſee, he ſhall have an Attaint *gratis.*

IV. Stat. of Gloceſter, *cap.* 2, 6. *E.* 1. Where an Infant is held from his Inheritance, whereby he is driven to his Writ, the Inqueſt ſhall paſs notwithſtanding his Nonage.

V. An Expoſition of the Statute of Gloceſter, *cap.* 2. 6 *E.* 1. touching an Inqueſt to be made for an Infant, that Statute ſhall run without limitation of time.

VI. Stat. *weſt.* 2. *cap.* 40. 13 *E.* 1. The Suit of a Woman or her Heir after the death of her Huſband, ſhall not be delayed by the Minority of the Heir, who ought to warrant the Land.

Aid of the King.

I. Stat. de Bigamis, *cap.* 1. 4 *E.* 1. Where a Feoffment with a Charter thereupon being made by the King hath ſo much in it, that another perſon by a like Feoffment, and like Deed, ſhould be bound to Warranty: the Heir ſhall have Aid, and the Juſtices ſhall not proceed without the Kings commandment.

II. Ibidem, *cap.* 2. But where the King only confirmeth or ratifieth anothers Act in another mans thing, or granteth any thing to a man as much as in him is, or where a Deed is ſhewed, whereby the King hath rendred any Tenement, and no clauſe of Warranty is contained therein: in theſe and like caſes (the ſame being ſhewed to the King) the Juſtices may proceed, and the Tenant ſhall not have Aid.

III. Ibidem, *cap.* 3. In Dower the Kings Grantee of a Ward ſhall not have Aid, but the Juſtices may proceed according to right.

IV. Stat. 14 *E.* 3. 14 *Stat.* 1. Upon demand of Lands in the Kings hands, after four Writs of Search directed to the Treaſurer and Chamberlains of the Exchequer, for finding the Kings Muniments, he that defends the Lands for the King, ſhall be put to anſwer, ſo that the ſaid Writs were delivered 40 days before their return, and then Juſtice ſhall not be delayed, albeit the contrary be commanded under the Great or Privy-Seal.

* Alehouſes,

* Alehouſes, Drunkenneſs.

I. Stat. 5 & 6 E. 6. 25. None ſhall keep Alehouſe without Licence granted either in Seſſions, or by two Juſtices (1 *Quor.*) in pain of three days Impriſonment without Bail, and none to be enlarged without Recogniſance by himſelf and two Sureries, that he ſhall not keep Alehouſe any longer; the Certificate of which Recogniſance and Offence ſhall be a ſufficient Conviction at the Quarter Seſſions to fine him 20 *ſh.*

☞ II. The Quarter Seſſions, or two ſuch Juſtices have power to put down Alehouſes at their diſcretion, and to take Bond and Surety of Alehouſe-keepers by Recogniſance, that they ſhall not uſe unlawful Games, or other Diſorder in their Houſes, for which Recogniſance the Parties bound ſhall pay 12 *d.* and whereof Certificate ſhall be made at the next Quarter Seſſions, by the two Juſtices that take it, in pain of 5 Marks.

III. Juſtices of peace have power to enquire after the breach of this laſt Recogniſance, to award Proceſs thereupon, and to hear and determine the ſame at their diſcretions.

IV. This Act ſhall not reſtrain the ſelling of Ale and Beer in Towns where Fairs are kept, during the time of the Fair.

V. Stat. 1 *Jac.* 9. No Inn-keeper, Victualler, or Alehouſe-keeper, ſhall ſuffer any Town-dwellers to ſit tipling in his Houſe, in pain of 10 *ſh.* nor ſell leſs then a full Ale-quart of the beſt Ale or Beer, or two quars of the ſmall, for one peny, in pain of 20 *ſh.* And here the view of one Juſtice, or proof by two Witneſſes upon Oath before one Juſtice, is ſufficient conviction.

VI. The penalties aforeſaid are given to the poor of the Pariſh where the offence is committed, and are to be levied by the Conſtable and Churchwardens by diſtreſs, which after ſix days may be ſold to ſatisfie the penalty: and in default of diſtreſs, the party delinquent muſt ſuffer impriſonment till he pay the penalty.

VII. Here every Officer that neglects to levy the ſaid penalties, or certifie (within twenty days) the default of diſtreſs, ſhall forfeit likewiſe to the poor fourty ſhillings, to be levied (upon Warrant from one Juſtice) by diſtreſs and ſale, as aforeſaid; and upon default of diſtreſs, ſhall incur commitment, as aforeſaid.

VIII. The Officers, or other parties receiving theſe penalties, ſhall be accountable to the ſucceeding Officers and other Pariſhioners.

☞ IX. Stat. 4 *Jac.* 4. None ſhall ſell Ale or Beer to an unlicenſed Alehouſe-keeper, ſave only for the expence of his houſhold, in pain of 6 *s.* 8, *d.* for every barrel; and ſo more or leſs according to that proportion.

X. This offence ſhall be proſecuted in the Quarter Seſſions, and the forfeiture ſhall be equally divided between the Proſecutor and the Poor of the Pariſh.

XI. The

XI. The Officer that ſhall levy the poors moiety, ſhall deliver it to the Churchwardens and Overſeers of the Pariſh, or one of them, and they ſhall in convenient time make diſtribution thereof to the poor, in pain that both the Officer and they ſhall forfeit reſpectively double the value of that moiety, to be recovered and employed as aforeſaid

XII. Stat. 4 *Jac.* 5. One convicted of Drunkenneſs in Court, or before a Judge or Juſtices in their ſeveral limits, ſhall forfeit five ſhillings to the poor, to be levied and employed as the penalties of 1 *Jac.* 9. and in caſe he be not able to pay it, ſhall remain in the Stocks ſix hours.

XIII. Here the Officer that neglects to levy the ſaid penalty ſhall forfeit ten ſhillings, to be levied and employed as aforeſaid.

XIV. A Town-dweller which is convict to ſit tipling in any Inn, Victualling houſe, or Ale-houſe, by the view of one Juſtice, or the proof of two Witneſſes, ſhall forfeit Ten groats, to be levied and employed as aforeſaid, and being not found able to pay it, ſhall remain in the Stocks four hours.

XV. Theſe offences, as alſo thoſe mentioned in 1 *Jac.* 9. ſhall be enquired of, heard and determined at the Aſſiſes, Quarter Seſſions, in Corporate Towns and in Leets.

XVI. One convicted the ſecond time of Drunkenneſs, ſhall be bound in Ten pounds with two Sureties to the good behaviour.

XVII. All Conſtables, Churchwardens, Headboroughs, Tithingmen, Aleconners, and Sidemen, ſhall be charged on their Oaths to preſent the ſaid offences.

XVIII. This Act ſhall not reſtrain Eccleſiaſtical Jurisdiction, nor the two Univerſities.

XIX. None ſhall be twice puniſhed for one offence.

XX. The offenders againſt this Act ſhall be proſecuted within ſix months.

XXI. Stat. 7. *Jac.* 10. An Alehouſe-keeper lawfully convicted for any of the offences forbidden by the Statutes of 1 *Jac.* 9. or 4 *Jac.* 5. ſhall be diſabled to keep Alehouſe within three years after.

☞ XXII. Stat. 21 *Jac.* 7. One witneſs, or the parties own confeſſion, ſhall be ſufficient to prove the breach of 1 *Jac.* 9. and 4 *Jac.* 5. and the Oath of the party confeſſing, ſhall be ſufficient to convince any other.

XXIII. The like view, proof, or confeſſion, ſhall convince a Drunkard, as well for the penalty of 5 *s.* as for the binding of him to the good behaviour, according to 4 *Jac.* 5.

XXIV. An Alehouſe-keeper offending againſt 1 *Jac.* 9. or 4 *Jac.* 5. according to the alteration of this Act, is diſabled to keep Alehouſe within three years after.

XXV. All Conſtables, Churchwardens, Headboroughs, Tithingmen, Aleconners, and Sidemen, ſhall be charged on their Oaths, to preſent the offences committed againſt 1 *Jac.* 9. and 4 *Jac.* 5. according to the alterations of this Act.

XXVI. Stat. 1 *Car.* 14. The Inn-keeper, Ale-houſe-keeper, or Victualler,

Victualler, which ſuffers any perſon whatſoever to ſit tipling in his houſe, ſhall incur the penalty of 1 *Jac.* 9. to be proved, levied and employed, as in that Statute appointed.

XXVII. Vintners, which do alſo keep Inns or Victualling-houſes, ſhall be taken to be within this Act; as alſo within the Stat. of 1 *Jac.* 9. and 4 *Jac.* 5.

☞ XXVIII. Stat. 3 *Car.* 3. None ſhall keep an Alehouſe without Licence, in pain to forfeit 20 *s.* to the poor, which the Conſtable and Churchwarden (upon Warrant from the Juſtice before whom the offence is proved) ſhall levy by diſtreſs, which (within three days) may be ſold to ſatisfie the penalty; and in caſe the Delinquent hath not wherewithall, the ſaid Juſtice ſhall commit him to the Conſtable to be openly whipped. And here the view of one Juſtice, the confeſſion of the party, or proof by two Witneſſes, is ſufficient conviction.

XXIX. Here the Officer that neglects to execute the Warrant, or to puniſh the offender, ſhall ſuffer impriſonment without bail, or pay 40 *s.* to be employed as aforeſaid.

XXX. In this caſe, if the Alehouſe-keeper offend the ſecond time, he ſhall be committed to the Houſe of Correction for one month; and for the third offence ſhall not be thence enlarged but by Order of Seſſions.

XXXI. The offender once puniſhed by this Act, ſhall not be again puniſhed by 5 *& 6 E.* 6. 25. *& contra.*

XXXII. This Act ſhall not reſtrain the ſelling of Ale and Beer in Fairs.

Vide Beer, Ale, and Mum.

Alienation without Licence.

Note that clauſe is in Raſt. *fol.* 7. *But I find it not in the Stat. at large, nor in* Stanford. *'Tis in* Pulton, *cap.* 6.

I. Prerogat. Regis. *cap.* 6. 17 *E.* 2. None holding of the King in chief by Knight-ſervice, may (without his Licence) alien ſo much of his Land, that the reſidue will not ſuffice to do him ſervice: but this is not meant of little parcels thereof.

II. When Serjeants are alienated without the Kings Licence, the King hath uſed to rate them at reaſonable extent.

III. Stat. 1. *Car.* 3. All Licences of Alienations (other than upon raiſing of uſes by force of any Deed from or out of the Eſtate of the Covenanter) ſhall be general to alien, without expreſſing any uſes.

IV. The Officer that takes above 26 *s.* 8. *d.* for drawing, pleading, entring, finiſhing and diſcharging a Licence or Pardon of Alienation, ſhall forfeit to the party grieved for every peny ſo taken, 5 *s.* to be recovered by Information or Action of Debt, and ſhall be for ever after diſabled to bear Office in any Court of Juſtice.

Aliens.

I. Stat. 31 *H.* 6. 4. If any Stranger (being in league, or having the Kings ſafe conduct) be attached in his perſon, or robbed of his Ship or Goods, by any of the Kings Subjects at Sea, or in any Port within the Kings Dominions, the Chancellor, (upon a Bill of complaint) calling to him any of the Juſtices of either Bench, ſhall have power to enlarge the perſon ſo attached, and to make delivery and reſtitution of the Ship or Goods, or the value thereof, and alſo of all coſts, expences, and loſſes ſuſtained in that behalf.

* II. Stat. 1 *R.* 3. 9. An Alien Artificer (not made Denizen) ſhall not remain nor exerciſe any Handicraft in *England*, unleſs as ſervant to a Subject ſkilful in the ſame Art, in pain to forfeit all his Goods.

III. No ſuch Alien ſhall here in *England* make any Cloth, or put any Wooll to work, in pain to forfeit the Cloth ſo made.

IV. Such an Alien ſhall here in *England* ſell his Wares in groſs, and not by retail, in pain to forfeit the value of the Wares otherwiſe ſold: and being an Handicrafts-man, and inhabiting a great Houſe or Chamber, ſhall not take any Apprentice or Servant to work with him, unleſs it be his Son or Daughter, or elſe a Subject born, in pain to forfeit for every Apprentice or Servant otherwiſe taken, 20 *l.*

V. The Forfeitures of this Act are to be divided between the King and the Proſecutor.

VI. Stat. 14 *H.* 8. 2. No Stranger Artificer (Denizen or not Denizen) ſhall take any Apprentice, but ſuch as is born under the Kings obeiſance, in pain to forfeit 10 *l.* for every Apprentice otherwiſe taken, to be divided betwixt the King and the Proſecutor.

No Alien ſhall keep above two Journey-men, except they be born under the Kings obeiſance, upon the like pain, to be divided as aforeſaid.

VII. All Strangers (Denizens or not Denizens) dwelling within two miles of *London*, ſhall be under the reformation of the Wardens of Handicrafts within that City, and of one ſubſtantial Stranger, being an Houſholder, of the ſame Craft, to be choſen by the ſame Wardens.

VIII. The ſaid Wardens and that one Stranger ſhall aſſign a proper mark for Strangers Wares, without taking any thing for the ſame.

IX. The ſaid Wardens and Stranger ſhall have power to ſearch, view and reform the Wares of Aliens, made within the ſaid Precinct.

X. Smiths, Joyners, and Coopers, (being Aliens) ſhall put ſuch marks to their Wares, before they ſell or uſe them, as the ſaid Wardens ſhall appoint, without taking any thing therefore, in pain to forfeit the double value thereof, to be divided between the King and the Proſecutor.

XI. If

XI. If upon ſearch the Wardens and Stranger ſhall find any Wares to be deceitfully made, they ſhall be forfeit, *viz.* the one half to the King, and the other half to the Finder, and ſhall be recovered by Action of Detinue.

XII. Wardens and Maſters of Fellowſhips of Handicrafts in other Corporations, and Bailiffs and other Head Officers in Towns lacking Wardens, have like power to reform Strangers, and Strangers are bound to yield obedience unto them, upon the like pains as aforeſaid.

XIII. Here if a Stranger be wronged, upon complaint to the Chancellor and Treaſurer of *England*, or to the Juſtice of Aſſiſe, he ſhall have redreſs.

XIV. This Act ſhall not extend to Strangers dwelling in *Oxford*, *Cambridge*, and St. *Martins le grand London*.

XV. If the Wardens with a Stranger, or the Officers of Corporations or other Towns, refuſe to mark a Strangers Wares, being required ſo to do, in ſuch caſe it ſhall be lawful for ſuch Stranger to ſell his Wares, this Act notwithſtanding.

XVI. This Act ſhall only extend to Joyners, Pouch-makers, Coopers and Blackſmiths, and to no other Crafts.

XVII. Any of the Kings Subjects having Land worth an 100*l. per annum*, may retain any Stranger, that is a Joyner or Glaſier, to work for him, this Act notwithſtanding.

XVIII. Stat. 21 *H.* 8. 16. A decree made in the Star-Chamber the 20*th* of *February*, 20 *H.* 8. concerning Artificers Strangers, was confirmed: The ſubſtance of which Decree hereafter followeth.

XIX. A Stranger Artificer ſhall not keep in his Houſe at one time above two Strangers Servants: howbeit a Subject Artificer may retain as many Strangers as he pleaſeth, to be his Servants or Apprentices.

XX. Strangers Artificers may take as many *Engliſh*-men to be their Servants or Apprentices as they can get.

XXI. Strangers Artificers ſhall be contributary with *Engliſh* Artificers; and in caſe they refuſe, they ſhall not only loſe the benefit of this Decree, but likewiſe be prohibited to exerciſe their Craft, in pain of incurring the forfeiture of the aboveſaid Statute.

XXII. Strangers Artificers ſhall (upon lawful warning) go with the Wardens and other Governours of the ſame Company to make ſearch: which if they refuſe, and that proved before the Chancellor of *England*, or Mayor of *London*, or (in other Places, before the chief Officers, they ſhall no longer exerciſe their Profeſſion in *England*, in pain of the forfeitures aforeſaid.

XXIII. Strangers Artificers ſhall (upon lawful notice) make Oath to be true to the King, and obedient to his Laws, and to make due ſearch with others: and not to diſcover to any beforehand the intention of ſearch; and being ſworn, ſhall pay for the Commiſſion as the Subjects of *England* do.

XXIV. No Strangers but Denizens ſhall keep Houſe or Shop, on pain of incurring the penalties of the aforeſaid Statutes.

XXV. Stran-

XXV. Strangers ſhall not aſſemble but in the common Halls of their Myſteries, upon the penalties aforeſaid.

XXVI. This Decree and Act (for ſo much as concerns Cordwainers) ſhall extend as well to ſuch as work old Stuff, as thoſe that work new.

XXVII. This Decree and Act ſhall not extend to Strangers (Denizens or not Denizens) dwelling in *Oxford*, *Cambridge*, or St. *Martins le grand London*.

XXVIII. Stat. 22 *H.* 8. 8. Aliens born, made Denizens, ſhall pay all ſuch Cuſtoms and other Duties as they did before they were made Denizens.

XXIX. A Table of Cuſtoms, Tolls, and Duties, ſhall be ſet up in every City, Borough and Town, in pain that every City not doing the ſame ſhall forfeit 5 *l.* and every Town Corporate 40 *s.* for every month the ſame ſhall fail to ſet up at *Pentecoſt* next, to be divided betwixt the King and the Proſecutor.

XXX. This Act ſhall not prejudice the Merchants of the *Stilyard London*.

XXXI. Provided, That the Tables of Scavage to be ſet up in *London*, ſhall be approved by the Chancellor and Treaſurer of *England*, the Preſident of the Kings Council, the Lord Privy Seal, the Lord Steward of the Kings Houſe, and the two Chief Juſtices, or four of them, and ſhall be by them ſubſcribed.

XXXII. Stat. 22 *H.* 8. 13. No Stranger being a common Baker, Brewer, Surgeon or Scrivener, ſhall be accounted a Handicraftsman within the penal Statutes made againſt Strangers Artificers.

XXXIII. Stat. 32 *H.* 8. 16. All Strangers (made Denizens) ſhall be obedient to the Statutes of 1 *R.* 3. 9. 14 *H.* 8. 2. and 21 *H.* 8. 16. And in all Letters Patents of Denization hereafter to be made, a *Proviſo* for that purpoſe ſhall be inſerted: ſave only when the King ſhall pleaſe to grant ſpecial Liberties, and then thoſe Liberties ſhall be plainly expreſt, both in Bills ſigned by his Majeſty, and alſo in the Letters Patents.

XXXIV. No Alien Artificer (Denizen or not Denizen) in *Oxford*, *Cambridge*, or St. *Martin le grand London*, ſhall keep above two ſtrangers ſervants at one time, in pain to incur the penalty of 14 *H.* 8. 2.

XXXV. Every Alien (not Denizen) within the Kings Dominions ſhall be bound to obſerve the Laws of this Kingdom.

XXXVI. No Subject or Stranger (uſing no handicraft) ſhall retain above four ſervants ſtrangers, in pain to forfeit for every ſervant kept above that number, 10 *l.*

XXXVII. The aboveſaid forfeitures ſhall be divided betwixt the King and the Proſecutor.

XXXVIII. This Act ſhall not be prejudicial to a Proclamation publiſhed by the King, concerning the payment of Cuſtoms for Strangers, to endure for certain years.

XXXIX. Lords of the Parliament may keep ſix ſtrangers born; at one time.

XL. No ſtranger (except Denizens) ſhall take a Leaſe of a House or Shop, in pain to forfeit 5 *l.* and none ſhall lett them ſu Leaſes upon the like pain, both of them to be divided betwixt t King and the Proſecutor.

XLI. Stat. 25 *Car. 2. cap. 6.* All clauſes in any Statute that conce any Cuſtom or Subſidy upon the native Commodities of t Realm (except Coals) or Manufactures made here, to be expo ed, payable by Aliens made Denizens, or other Aliens, over a above what is payable by natural born Subjects, are hereby r pealed.

XLII. And ſuch Merchants ſhall pay for all ſuch Merchandi exported ſuch Cuſtoms and Subſidies only as the King's natural bo Subjects do by vertue of the *Stat.* of the 12*th* of this King, *cap.* 4.

XLIII. Every Merchant Denizen or Alien ſhall pay for all ſort Fiſh caught by *Engliſh* men, and exported in *Engliſh* Shipping, a whereof the Maſter and three fourths of the Mariners ſhall be *gliſh*, no greater Cuſtoms and Subſidies than Natives of this Rea pay.

XLIV. Stat. 29 *Car.* 2. *cap.* 6. All perſons that between the 14 *June* 1641, and the 24*th* of *March* 1660, were born out of t Kings Dominions, and whoſe Fathers or Mothers, were natural bo Subjects of this Realm, are hereby declared the Kings natural bo Subjects to all intents and purpoſes, as if born in *England*.

XLV. Provided that no perſons (other than ſome expreſly n med in this Act) ſhall have benefit thereby, unleſs within ſev years next enſuing they receive the Sacrament of the Lords Supp and within a month after take the oaths of Allegiance and Supre ey in ſome of the Kings Courts at *weſtminſter*, and deliver into ſ Court a Certificate of ſuch their receiving, and make proof there by witneſſes *viva voce* upon Oath.

XLVI. Any perſons having received the Sacrament and m proof thereof by Certificate and Witneſſes and taken the ſaid Oa in any of the ſaid Courts *ut ſupra*, ſhall be admitted to make proo ſuch his qualification by Witneſſes *viva voce* upon Oath, and ſh thereupon have a Certificate under the Seal of the ſaid Court to likewiſe Enrolled there, and for ever after upon ſhewing ſuch Ce ficate or Enrolment ſhall have the full benefit of this Act.

Amendments.

I. Stat. 14 *E.* 3. 6. *Stat.* 1. A proceſs which is defective Miſpriſion of a Clerk, in one ſyllable or letter too much or too li ſhall be amended without giving advantage to the party challeng the ſame.

II. Stat. 9 *H.* 5. 4. The Juſtices before whom ſuch default ſh be found in any Record or Proceſs may amend the ſame as well a Judgment as before, ſo long as ſuch Record or Proceſs ſhall cont before them.

III. S

III. Stat. 4 *H.* 6. 3. The Statute of 9 *H.* 5. 4. is made perpetual; provided it shall not extend to Records or Proceſs in *Wales*, or whereby any perſon is outlawed.

IV. Stat. 8 H. 6. 12. No Judgment or Record ſhall be reverſed or annulled for Error aſſigned by reaſon of the razing or interlining of any Record, Proceſs, Warrant, Writ, Pannel, or Return; or of any Addition, Subſtraction or Diminution of Words, Letters, Titles, or parcel of Letters, found in the ſame.

V. The Judges may reform all defects in any Record, Proceſs, Wards, Plea, Warrant, Writ, Pannel, or Return; (except Appeals, Indictments of Treaſon or Felony, and the Outlawries of the ſame, and the ſubſtance of the proper names, ſurnames, and additions, left out in Original Writs, Exigents, and in other Writs of Proclamation, contrary to the Statute of 1 *H.* 5. 5. which ſee in *Addition*) ſo that by ſuch miſpriſion of the Clerk no Judgment ſhall be reverſed or annulled.

VI. Variance, alledged between a Record and the Certificate thereof ſhall be amended by the Judges.

VII. Imbezelling of a Record is felony.

VIII. If a Record, Proceſs, Writ, Warrant, Pannel, Return, or any parcel thereof, be exemplified under the Great Seal, and enrolled; for any error aſſigned in the ſaid Record, *&c.* in any letter, word, clauſe or matter varying, or contrary to the exemplification and enrolment, there ſhall be no judgment reverſed or annulled.

IX. Stat. 8 *H.* 6. 15. The Juſtices may amend the miſpriſion and defaults of Clerks of the Court, or of Sheriffs their Clerks, and of all other Officers whatſoever, found before them in any Record or Proceſs, or the return of the ſame, by reaſon of writing one letter or one ſyllable too much or too little, except in Records and Proceſſes within *Wales*, and of felonies and treaſons, and the dependants of the ſame.

Amerciaments.

I. Magna Charta, *cap.* 14. 9 *H.* 3. A free-man ſhall not be amerced for a ſmall fault, but according to the manner thereof, and for a great offence according to the quantity thereof, ſaving to him his Contentment (or *Countenance*,) and a Merchant ſaving his merchandize, and any Villain (except the Kings) ſhall be amerced ſaving his wainage; and ſuch amerciaments ſhall be aſſeſſed by lawful men of the Vicinage. Peers alſo ſhall be amerced by Peers according to their offence. Alſo Church-men ſhall be amerced according to their Lay-tenement, and the quantity of their offence, and not according to their Spiritual Benefice.

II. Marlb. *cap.* 18. 52 *H.* 3. No Eſcheator, Commiſſioner, or Juſtice aſſigned to take Aſſiſes, or to hear or determine matters, ſhall have power to amerce for default of common Summons, but the Chief Juſtices, or the Juſtices in Eyre in their Circuit.

III. Weſt. 1. *cap.* 6. No City, Borough, Town or man ſhall be amerced without reaſonable cauſe, and according to the treſpaſs, *viz.* every Free-man ſaving his Free hold, a Merchant ſaving his Merchandize, a Villain ſaving his Gainure, and that by his or their Peers. *See* Fines.

Appearance.

I. Stat. 10 *H.* 6. 4. No Filizer, Exigent, or other Officer whatſoever, in any ſuit ſhall make entry, that the Plaintiff *obtulit ſe in propria perſona ſua*, unleſs, the Plaintiff, before ſuch entry made, doth (indeed) appear in proper perſon before ſome of the Juſtices of the place where the Plea depends, and (either by himſelf, or ſome other credible perſon of his Counſel) make Oath, that he is the ſame perſon in whoſe name that ſuit is proſecuted. This Act to continue to the next Parliament.

II. Stat. 18 *H.* 6. 9. The Statute of 10 *H.* 6. 4. is made perpetual.

III. No Officer contained in the Statute of 10 *H.* 6. 4. ſhall do to the contrary thereof, in pain to forfeit 40 *s.* to the King for every time that he ſhall be attainted thereof by due examination of any of the Juſtices before whom the Entry or Record is.

IV. Every Attorney who hath not his Warrant entred upon Record, in all ſuits wherein proceſs of *Capias* and *Exigent* are awardable the ſame Term in which the *Exigent* is awarded, or before, and is therefore attainted by like examination, for every time he ſo offendeth ſhall incur the pain aforeſaid.

Appeals.

I. Magna Charta, *cap.* 34. 9 *H.* 3. No man ſhall be taken or impriſoned upon the Appeal of a Woman, for the death of any other than her Husband.

II. Weſt. 1. *c.* 14. 3 *E.* 1. The Acceſſory in an Appeal ſhall not be outlawed before the Principal be attainted: Howbeit none ſhall intermit to commence their Appeal at the next County as well againſt the Acceſſory as againſt the Principal: but the *Exigent* againſt thoſe ſhall remain, until thoſe be attainted by Outlawry or otherwiſe.

III. Stat. *Glouc. c.* 11. 9 *E.* 1. If the Appealor declare the deed, the year, the day, the hour, the time of the King, and the Town where the fact was done, and with what weapon, the Appeal ſhall ſtand, and ſhall not be abated for default of freſh ſuit, ſo that he ſue within a year and a day after the fact.

IV. Weſt. 2. 12. 13 *E.* 1. Upon a falſe Appeal by malice the Appealor ſhall ſuffer a years impriſonment, make fine to the King, and recompenſe damages to the Appellant at the diſcretion of the Juſtices.

V. When

V. When the Appealor is not able to ſatisfie damages, and an Abettor (through malice) is alſo found by the ſame Inqueſt, ſuch Abettor ſhall alſo be puniſhed by impriſonment and reſtitution of damages, as before.

VI. Artituli cleri. *ca.* 10. 9 *E.* 2. Thieves and Appealors (whenſoever they will) may confeſs their offences to Prieſts: but let the Confeſſors beware that they inform them not erroneouſly.

VII. Stat. of Appeals, 28 *E.* 1. When any are Appealed by provers, the Sheriff ſhall by the Kings Writ, under the teſtimony of the Juſtices that delivered thoſe provers, bring ſuch Appeals to the Goals where the provers or Appealors are kept, to anſwer before the ſame Juſtices: and if the Appealees will be tried by the County, the Sheriff ſhall alſo by a judicial Writ from the ſame Juſtices cauſe an Inqueſt to appear.

VIII. The Sheriff and others (in whoſe cuſtody ſuch Appealors are kept) ſhall receive ſuch Appealees without contradiction.

IX. Stat. 1 *H.* 4. 14. All Appeals of things done within the Realm ſhall be tried by the laws thereof; and of thoſe done out of the Realm, by the Conſtable and Marſhal of *England* for the time being.

Appeals to Rome.

*I. Stat. 24 *H.* 8. 12. All cauſes Teſtamentary, and of Matrimony, Divorces, Rights of Tithes, Oblations and Obventions, ſhall be adjudged within the Kings Authority, and not elſewhere.

II. The Prelates of this Realm may execute all Sacraments, Sacramentals, Divine Service, and all other things, to the Kings Subjects which they ought to do, notwithſtanding any Appeal to *Rome*, or any other foreign power whatſoever.

III. If any Spiritual perſon for fear of any forreign power ſhall refuſe ſo to do, he ſhall make fine and ranſom at the Kings pleaſure.

IV. Whoſoever procureth from the See of *Rome*, or any other forreign Court, any Appeals, Proceſs, Sentences, *&c.* ſhall incur a *Præmunire*, provided by the Statute of 16 *R.* 2. 5. *which ſee in Proviſo* 8.

V. Appeals in caſes Eccleſiaſtical ſhall be ſued from the Archdeacon or his Official to the Biſhop Dioceſan: and when the cauſe is commenced before the Biſhop Dioceſan or his Commiſſary, within 15 days after ſentence, an appeal may be made from thence to the reſpective Archbiſhop of the Province, to be there definitely adjudged.

VI. When the cauſe is commenced before an Archdeacon of any Archbiſhop or his Commiſſary, the appeal may be made within 15 days after ſentence to the Court of Arches or Audience, of the ſame Archbiſhop; and from the Arches or Audience, within 15 days after ſentence there, to the Archbiſhop himſelf, to be finally determined, without any farther appeal.

VII. When the cause is commenced before the Archbishop himself, it shall be there determined without any further appeal, saving to the Archbishop and Church of *Canterbury* the due prerogative heretofore used.

VIII. When the cause or suit concerns the King, the party grieved may (within fifteen days after sentence) appeal from any of the said Courts to the Prelates assembled (by the Kings Writ) in the Convocation being, or next ensuing, in the Province where the suit was begun; and there it shall be finally determined.

IX. If any shall hereafter pursue any Appeal contrary to this Act, or shall refuse to obey it, he shall incur a *Præmunire*.

Apprentice.

I. Stat. 12 *H.* 7. 1. The makers of Worsteds, Says and Stamins in *Norfolk* are enabled to take Apprentices, and any person may also put Apprentices unto them; so that they keep not above two Apprentices (at most) at one time.

Appropriations.

I. Stat. 15 *R.* 2. 6. In every Licence made in Chancery of the Appropriation of any Church this shall be contained, *viz.* That the *Diocesan* shall ordain (according to the value of such Churches) a convenient Sum to be yearly distributed out of the profits thereof to the poor of the Parish by the appropriators and their successors for ever; and also that the Vicar shall be sufficiently endowed.

II. Stat. 4 *H.* 4. 12. The Statute of 15 *R.* 2. 6. shall be duly executed, and Appropriations made since that Statute contrary thereunto shall be reformed before Easter, or else to be void, except *Haddenham* in the Isle of *Ely*.

III. All Vicarages annexed or appropriated since 1 *R.* 2. shall be void.

IV. In every Church so appropriate a secular person shall be ordained Vicar, canonically instituted and inducted in the same, and conveniently endowed, (by the discretion of the Ordinary) to do Divine Service, inform the people, and keep hospitality there, (except *Haddenham* aforesaid,) and no Religious shall be hereafter made Vicar in any Church so appropriate.

Approvements.

I. Merton, *cap.* 4. 20 *H.* 3. Lords of Wastes or Commons or woods or pastures may approve against their Tenants part thereof, so that they leave sufficient Common besides, together with free egress and regress to enjoy the same: And the truth thereof shall be enquired by Assise, wherein damages shall be given to the Plaintiff if he recover, and the disseisors shall be amerced.

II. West.

II. *Weſt.* 2. *cap.* 46. 13 *E.* 1. The Statute of *Merton* ſhall not only bind the Lords Tenants, but neighbours alſo which claim common of Paſture as appurtenant to their Tenements: but if any claim common by ſpecial feoffment or grant for a certain number of beaſts, or otherwiſe, which is due to him of common right, he ſhall recover the ſame according to the form of ſuch grant.

III. By occaſion of a Wind-mill, Sheep cote, Dairy, enlarging of a Court neceſſary, or curtilage, none ſhall be grieved by Aſſiſe of *Novel diſſeiſin* for common of Paſture.

IV. If any (upon juſt title of approvement) do make a ditch or hedge for that purpoſe, which afterwards is thrown down by ſome who cannot be diſcovered by verdict of the Aſſiſe or Jury, and the Towns adjoyning will not indict ſuch as are guilty of the fact; in ſuch caſe the ſaid Towns ſhall be diſtrained to level again ſuch ditch or hedge at their own coſts, and ſhall alſo yield damages.

V. Stat. 3 & 4 *E.* 6. 3. The Statute of *Merton*, *cap.* 4. and *weſt.* 2. *cap.* 46. are confirmed.

VI. Upon Judgment for the Plaintiff in an Aſſiſe upon any branch of the ſaid Statutes of *Merton* or *weſt.* 2. the Court ſhall award treble damages.

VII. This Act ſhall not extend to houſes heretofore built upon waſtes or commons, not having above three Acres of ſuch waſte or common-ground belonging to them, nor to any Garden, Orchard or Pond there not exceeding two Acres; neither yet ſhall it cauſe any perſon to loſe or forfeit any pain or damage for the ſame, but ſuch houſes and grounds ſhall ſtill ſtand and remain: howbeit the owners of ſuch waſtes or commons may lay open ſo much thereof as ſhall exceed three Acres.

VIII. Stat. 43 *El.* 11. All Contracts or Bargains, made of part of ſuch waſtes, commons, or ſeveral grounds, (lying in or near the ſame) as are ſubject to ſurrounding, between the Lords, Commoners, or Owners thereof, on the one part, and the drainers, on the other part, ſhall be good in Law according to the manners and forms of ſuch contracts or bargains.

IX. Where the Queen, her Heirs and Succeſſors, hath an intereſt in ſuch waſtes or commons, ſuch contracts or bargains ſhall not bind them, unleſs they be written in Parchment, indented, and certified into the Chancery, and the Royal aſſent thereunto firſt obtained, and ſignified under the Privy or Great Seal, when the waſtes or ſoils are of the poſſeſſions of the Crown; but under the Seal of the Dutchy of *Lancaſter*, and inrolled in that Court, when they are of that kind.

X. This Act ſhall not impair or take away the intereſt of ſuch Lords Commoners, or Owners, in any part of the reſidue of the waſtes or commons not aſſigned to the ſaid Drainers, or any Franchiſe or Liberty; but that the ſame may be lawfully uſed, as if this Act, or ſuch contract or bargain, had not been made.

XI. This Act not be prejudicial to Ports or Havens, neither shall it be put in execution within eight miles of *Yarmouth*, or [illegible] miles of *Linne*.

Armour, Arms.

I. Stat. 7 *E.* 1. It belongeth to the King to prohibit force of Arms, and all other force against the peace, and to punish Offenders therein according to the Law: and herein every subject is bound to be aiding.

II. Stat. 1 *E.* 3. *Stat.* 2. 5. None shall be charged to arm himself otherwise than was used in the time of the Kings Progenitors, neither yet shall any be compelled to go out of his Shire, but when necessity requireth, and the sudden coming of strange Enemies into the Realm: and then it shall be done as in times past, for the defence of the Realm.

III. Stat. 2 *E.* 3. 3. None shall come with force and Arms before the Kings Justices, or other his Ministers, nor go or ride Armed in affray of Peace, in pain to forfeit their Armour, and to suffer imprisonment at the Kings pleasure.

IV. Justices of Peace, and other Officers, have power to put this Act in execution, and the Justices of Assise shall enquire of their default in that behalf.

V. Stat. 7 *R.* 2. 13. None shall ride in harness contrary to 2 *E.* 3. 3. in pain to forfeit the same.

VI. Stat. 20 *R.* 2. 1. The Statutes of 2 *E.* 3. 3. 7 *R.* 2. 13. shall be duly observed, upon the pains contained in the said Statute of 2 *E.* 3, 8. and beside to make Fine to the King.

VII. Stat. 31 *El.* 4. To imbezil 20 *s.* worth of the Queen or her Successors Ordnance, Munition, or Victual provided for War for lucre, or with purpose to hinder the Service, is adjudged Felony, if prosecuted within the year.

VIII. This offence shall not cause corruption of Bloud, nor loss of Dower, only the Offender shall forfeit his Lands during his life.

IX. The Defendant may produce Witnesses for his Discharge.

X. Stat. 1 *Jac.* 2. *cap.* 8. It shall not be lawful, without Licence from the King, to import by way of Merchandize Gunpowder, Arms, Ammunition, or Utensils of War, on pain to forfeit the same; and the Importers or they in whose custody any such Gnn-powder, *&c.* shall be found, shall forfeit treble the value thereof; one moiety to the King, the other moiety to the Prosecutor.

XI. If any shall obtain Letters Patents for the sole making or importing any Gun-powder, Arms, *&c.* and put the same in execution; or shall obtain any Letters Patents, for the importing Gun-powder, Arms, *&c.* by way of Merchandize, other then for furnishing the Kings Publick Stores; such Offenders shall sustain the Pains, Penalties, *&c.* of the Stat. of *Prem.* made *Ann.* 16 *Rich.*

lich. 2. and be diſabled to hold any Office or Employment under his Majeſty; and ſuch Letters Patents ſhall be void, any clauſe of *Non-obſtante* or other proviſion therein notwithſtanding.

See more in Title Militia.

Arreſts.

I. Weſt. 1. *cap.* 35. 3 *E.* 1. None (except the Kings Miniſters) ſhall within a Liberty arreſt any perſon paſſing through the ſame, and holding nothing thereof, for any Contracts, Covenants, or Treſpaſſes made or done out of ſuch Liberty, in pain to pay double Damages to the party grieved, and a Fine to the King.

II. Stat. 50 *E.* 3. 5. None ſhall arreſt Clerks or other perſons of holy Church doing Divine Service, in pain of grievous forfeiture, ſo that Colluſion be not found in any ſuch perſons or Clerks.

III. Stat. 1 *R.* 2. 15. None ſhall arreſt ſuch perſons or Clerks doing Divine Service, in pain of impriſonment, and to be ranſomed at the Kings will.

☞ Arrow-Heads.

* I. Stat. 7 *H.* 4. 7. All Heads for Arrows and Quarrels ſhall be well boiled or brazed, and hardened at the point with Steel, in pain to forfeit them, be impriſoned, and make Fine at the Kings will.

II. Such Arrow-heads and Quarrels ſhall be marked with the proper mark of the maker.

III. Juſtices of Peace ſhall have power to puniſh ſuch as make defective Arrow-heads and Quarrels.

Aſſault.

* I. Stat. 5 *H.* 4. 6. If any aſſault the Servant of a Knight or Burgeſs of Parliament, Proclamation ſhall be made that he render himſelf into the Kings Bench within a Quarter of a year: which if he do not, he ſhall be attainted of the Fact, and pay double Damages to the party grieved, to be Taxed by the diſcretion of the Juſtices, or by inqueſt, if need be; and beſides ſhall make Fine and Ranſom at the Kings will.

II. Stat. 11 *H.* 6. 11. The like proviſion is made againſt Aſſaults made upon any Member of either Houſe of Parliament, or of any other Council aſſembled by the Kings command; only, if it be not Term-time, he ſhall then appear the firſt day of the Term following that Quarter, and upon appearance, ſhall be proceeded againſt as before.

Aſſiſes.

I. Magna Charta, *cap.* 12. 9 *H.* 3. Aſſiſes of *Novel diſſeiſin* and *Mortdanceſter* ſhall be taken in their proper Shires in this manner. The King or (in his abſence out of the Realm) the Chief Juſtice ſhall once a year ſend the other Juſtices through every County, to take together with the Knights of the Shire ſuch Aſſiſes in thoſe Counties, and ſuch things as cannot be there determined, ſhall be ended elſewhere in their Circuits: Alſo difficult matters ſhall be referred to the Juſtices of the Bench, to be there determined.

II. Weſt. 1. *cap.* 24. 3 *E.* 1. If any Eſcheator, Sheriff, or other Balliff of the King, do by colour of his Office, without ſpecial Warrant pertaining to his Office, diſſeiſe any man of his Free-hold, or any thing belonging thereunto, it ſhall be in the election of the Diſſeiſee, whether the King by Office ſhall cauſe it to be amended upon complaint, or that he will ſue by Writ of *Novel diſſeiſin*, wherein if the Diſſeiſor be attainted, the Diſſeiſee ſhall recover double Damages, and the Diſſeiſor ſhall alſo be grievouſly amerced to the King.

III. Weſt. 1. *cap.* 37. 3 *E.* 6. If any be attainted of *Diſſeiſin* done in the now Kings time with robbery of Goods or otherwiſe, the Diſſeiſee by Aſſiſe of *Novel diſſeiſin* ſhall recover his Seiſin and Damages, and the Diſſeiſor (whether preſent or not) ſhall make Fine, and if preſent, ſhall be committed.

IV. Weſt. 1 *cap.* 51. 3 *E.* 1. Aſſiſes of *Novel diſſeiſin*, *Mortdanceſtor*, and *Darrein preſentment*, ſhall be taken in *Advent*, *Septuageſima*, and *Lent*, as well as Inqueſts, and that at the ſpecial requeſt of the King made to the Biſhops.

V. Weſt. 2. *cap.* 25. 13 *E.* 1. For Eſtovers of Wood, profit to be taken in Woods, Corrody, delivery of Corn, and other Victuals and Neceſſaries, to be received yearly in a certain Place, Toll, Tunnage, Paſſage, Pontage, Pawnage, and the like, to be taken in Places certain, keeping of Parks, Woods, Foreſts, Chaſes, Warrens, Yates, and other Bailiwicks and Offices in Fee, an Aſſiſe of *Novel diſſeiſin* ſhall be, and in ſuch caſes the Writ ſhall be (as in other caſes) *De libero tenemento.*

VI. It ſhall alſo be for Common of Turf-land, Fiſhing, and ſuch like Common appendant to Free-hold, or by ſpecial Deed, (as heretofore held place for Common of Paſture) provided the Eſtate therein be (at leaſt) for life.

VII. If any holding for years or inward alien the Fee, remedy ſhall be had by this Writ, and both the Feoffors and Feoffees ſhall be had for Diſſeiſors: ſo that during the life of any of them the ſaid Writ ſhall hold place; and if they die, the remedy ſhall be by Writ of *Entry*.

VIII. The giving of this Writ in new caſes ſhall not diminiſh the force thereof in thoſe wherein it had force before; and remedy alſo ſhall be had thereby in caſe where one feedeth in the ſeveral of another.

IX. In

IX. In this Suit if the Defendant fail to make good the Exception which he pleads, he ſhall be adjudged a Diſſeiſor without taking the Aſſiſe, and ſhall give to the Plaintiff double Damages, both inquired, and to be inquired; and beſides ſhall ſuffer a years impriſonment.

X. If ſuch an Exception be alledged by a Bailiff, the taking of the Aſſiſe ſhall not be thereby delayed, nor yet the Judgment upon the reſtitution of the Lands and Damages. Howbeit, if the Maſter of ſuch Bailiffs afterwards offer to prove to the Court by matter of Record, that there was juſt Exception, whereby the Plaintiff might have been barred, he ſhall have a *Venire facias* to produce ſuch Record: and then, if the Juſtices ſee cauſe, the Plaintiff ſhall be warned to appear at a certain day, and the Defendant ſhall then have again his Seiſin and Damages, and the Plaintiff ſhall be puniſhed by Impriſonment at the diſcretion of the Juſtices. In like manner alſo ſhall the Juſtices proceed in caſe the Defendants proof is by Deeds or Releaſes; and if the plaintiff purchaſed the Aſſiſe contrary to his own Deed, he ſhall be puniſhed as aforeſaid.

XI. The Sheriff ſhall not take an Ox of the Diſſeiſee, but of the Diſſeiſor only, and but one Ox, though there be many Diſſeiſors named in the Writ; and that Ox ſhall not exceed 5 *s.* in value. *Note that* 5 *s. then hath now the value of* 15 *s.*

XII. Cotteſt. 2. 46. 13 *E.* 1. Where Common of Paſture hath been uſurped during Nonage, Coverture, Tenancy in Dower, by the Courteſie, for Life, Years, or in Tail, it hath been holden, that if ſuch poſſeſſor of Common be deforced, he ought to have Action by Writ of *Novel diſſeiſin*: it muſt now be holden, that ſuch as have entred within the time that an Aſſiſe of *Mortdanceſtor* hath lain, if they had no Common before, ſhall not recover by Writ of *Novel diſſeiſin*, albeit they be deforced.

XIII. Stat. *de conjunct. feoffatis*, 34 *E.* 1. In an Aſſiſe of *Novel diſſeiſin*, If Joynt-tenancy be pleaded by force of a Deed, upon the Plaintiffs averment againſt it, the Juſtices ſhall keep the Deed until the Trial, and in the mean time ſhall by *Scire facias* ſummon the abſent Joynt-tenant be preſent with the Defendant at the ſaid Trial, and they ſhall there maintain the Plea, if they can. But if it ſhall then be proved by an Aſſiſe, that the Plea was maliciouſly alledged to delay the Plaintiff, albeit the Aſſiſe doth paſs for the Defendants, yet he who pleadeth that Exception ſhall ſuffer one whole years impriſonment, and ſhall not be enlarged without grievous Fine. And if it be found by Aſſiſe, that the Plaintiff was diſſeiſed, he ſhall recover Seiſin and double Damages, and the Trial ſhall go on, notwithſtanding ſuch Plea, and albeit neither of the pretended Joynt-tenants appear; howbeit Joynt-tenancy ſhall not be pleaded by Bailiff.

XIV. Alſo in Aſſiſes of *Mortdanceſtor*, and *Juris utrum*, the like courſe ſhall be taken as in thoſe of *Novel diſſeiſin*.

XV. In other Writs likewiſe, whereby Tenants are demanded; ſave

ſave that in them the Damages are referred to the diſcretion of the Juſtices.

XVI. Stat. *Eborum*, 12. *E.* 2. 1. Tenants in Aſſiſe of *Novel diſſeiſin* may make Atturneys, and may alſo plead by Bailiffs, as in time paſt.

XVII. Stat. 7 *R.* 2. 10. An Aſſiſe of *Novel diſſeiſin* for Rents ſuing out of Lands in divers Counties, ſhall be taken in *Conſinio comitatus*, as is uſed for Common of Paſture in one County appendant to Tenements in another.

XVIII. Stat. 1 *H.* 4, 8. A ſpecial Aſſiſe is maintainable by the Diſſeiſee for ſuch Lands as are granted by the Kings Patent, without Title firſt found by Inqueſt for the King, without Suit to be made to the King in that behalf; and if the Patentee pray in Aid of the King, a *Procedendo* ſhall be alſo granted without Suit.

XIX. Here if the Aſſiſe paſs for the Diſſeiſee, he ſhall recover treble Damages againſt the Patentee.

XX. Stat. 4 *H.* 4. 8. If any make forcible entry into Lands by way of maintenance, the Chancellor of *England* ſhall grant a ſpecial Aſſiſe without ſuing to the King: and if the Aſſeiſor ſhall be attained thereof, he ſhall ſuffer one whole years impriſonment, and reſtore double Damages to the party grieved.

XXI. Stat. 6 *H.* 6. 2. The pannels of Aſſiſes ſhall be arrayed and an indented Copy thereof delivered by the Sheriff to the Plaintiffs, Tenants and Defendants, ſix days before the Seſſions, if they demand the ſame; alſo Bailiffs of Franchiſes ſhall make their returns thereof to the Sheriff at the like time; upon pain to forfeit each of them, Sheriff or Bailiff, 40 *l.*

XXII. Stat. 11 *H.* 6. 2. In an Aſſiſe, if the Sheriff be named a Diſſeiſor by Colluſion, to the end the Writ may be directed to the Coroner, and the Aſſiſe ſecretly awarded by the Tenants default, upon the Plaintiffs averment thereof, and if it ſhall alſo be found by the Aſſiſe to be ſo, the Juſtices ſhall abate the Writ, and grievouſly amerce the Plaintiff.

XXIII. Stat. 21 *H.* 8. 3. The Plaintiff in Aſſiſe may abridge his Plaint of any part whereunto a bar is pleaded, without prejudice to the reſidue.

Attainder.

I. Stat. 12 *Car.* 2. *cap.* 30. An Act for the Attainder of ſeveral perſons guilty of the horrid Murder of his late Sacred Majeſty, King *Charles* the Firſt. *See the Act at large.* Confirmed 13 *Car.* 2. *Cap.* 7.

II. Stat. 13 & 14 *Car.* 2. *cap.* 29. An Act for reverſing the Attainder of the Earl of *Strafford.* See the Act.

III. Stat. 17 *Car.* 2. *Cap.* 5. An Act for Attainting *Thomas Doltman*, *Joſeph Bampfield*, and *Thomas Scott*, of High Treaſon, if they render not themſelves by a day. *See the Stat. at large.*

Attaint.

I. Weſt. 1. *cap.* 38. 3 *E.* 1. An Attaint is granted in Plea of Land, Free-hold, or any thing touching Free-hold.

II. Stat. *De attinctis*, 13 *E.* 2. In Attaint, if the firſt Jurors which ſhall be living appear not at the firſt grand Diſtreſs, or be returned to have nothing, by their abſence there ſhall be no delay made of the other Jury. *See* Raſt. *Attaint* 2.

III. Stat. 1 *E.* 3. 6. In a Writ of Treſpaſs, an Attaint ſhall be granted by the Chancellor without ſpeaking to the King, as well upon the Principal as upon the Damages.

IV. In all caſes of Attaints, the Juſtices ſhall not lett to take the Attaints for the Damages not paid,

V. Stat. 5 *E.* 3. 6. *Niſi prius* ſhall be granted in Attaints, but no Eſſoin or Protection; and five days by the year ſhall be given before the Juſtices of the Common Bench at leaſt.

VI. Stat. 5 *E.* 3. 7. Writs of Attaint ſhall be granted as well in Pleas of Treſpaſs moved without Writ, as by Writ before Juſtices of Record, if the Damages adjudged do exceed 40 s.

VII. Stat. 28 *E.* 3. 8. An Attaint ſhall be granted as well upon a Bill of Treſpaſs as upon a Writ of Treſpaſs, without having regard to the quantity of the Damages.

VIII. Stat. 34 *E.* 3. 7. An Attaint ſhall lie as well in Plea real as perſonal, and it ſhall be granted to the poor (who ſhall affirm that they have nothing whereof to make Fine ſaving their Countenance) without Fine, and to all others by eaſie Fine.

IX. Stat. 9 *R.* 2. 3. He in the Reverſion ſhall have an Attaint, or Writ of *Error*, upon a falſe Verdict found, or an Erroneous Judgment given againſt the particular Tenant.

X. If the Oath be found falſe, or the Judgment erroneous, and the Tenant ſtill in life, he ſhall be reſtored to his Poſſeſſion and Iſſues, and the Reverſioner to the Arrearages: but if he be dead, or be found of Covin with the Demandant, the Reverſioner ſhall have all: yet the Tenant may Traverſe the Covin by *Scire facias* out of the Judgment or Writ of Attaint, if he pleaſe.

XI. Stat. 13 *R.* 2. 18. Upon a falſe Verdict given before the Mayor and Bailiffs of *Lincoln*, an Attaint ſhall be ſued in the Kings Bench or Common-Pleas, and the Jury ſhall be of the County of *Lincoln*, returned by the Sheriff of the ſaid County.

XII. Stat. 3 *H.* 5. 5. By Letters Patents of *H.* 4. the name of *Bailiffs* of the City of *Lincoln* being tranſlated to *Sheriffs*, leſt it might be doubted which Sheriff ought to return the Jury in Attaint, the former Statute of 13 *R.* 2. 18. is explained and confirmed.

XIII. Stat. 11 *H.* 6. 4. The Plaintiff in Attaint ſhall recover againſt all the Jurors, Tenants and Defendants, the Coſts and Damages which he ſhall ſuſtain (by delay or otherwiſe) in that Suit.

XIV. Stat. 15 *H.* 6. 5. No Sheriff, Bailiff or Coroner, in Writs

of

of Attaint of Plea of Land, or of Deeds, concerning Lands of the yearly value of 40 *s.* or more, or of Goods or Chattels person worth 40 *s.* or more, shall impannel any but such as inhabit with their Bailiwicks, and have Free-hold or Inheritance (not ancie Demesne, within the five Ports, or Gavel-kind) worth 20 *l. per annum*, and shall not return against them less Issues then 40 *s.* at t first Writ of Distress, 100 *s.* at the second, and double afterwar in pain to forfeit 100 *l.* to the King, and as much to the Plainti And none but persons of that worth shall be impannelled up Attaints, if challenge thereof be made by the Plaintiffs.

XV. If any of the Defendants plead a forein Plea, and fail ther of, the Justices shall give Judgment against them, as if the Gra Jury upon the Articles of the Writ had passed against them Howbeit, the rest of the Defendants shall not be prejudiced ther by; neither shall this Act extend to Cities or Boroughs.

XVI. If there shall not be in the County (under the Degree o Baron) enough of that worth to fill the pannel, then shall the sa Officers impannel and return the most sufficient persons there u der that worth, upon the like pain.

XVII. Stat. 18 *H.* 6. 2. Owners of Inheritance or Free-ho Lands in Gavel-kind of 20 *l. per annum*, may also be impannelle upon Attaints, notwithstanding the Statute of 15 *H.* 6. 5.

XVIII. Stat. 11 *H.* 7. 21. None shall be impannelled upon Jury in *London*, except he have Lands and Tenements, or Goods a Chattels worth 40 Marks: and if the Trial be for Lands, or De or Damages amounting to 40 Marks, or above, his real or perso Estate shall be worth 100 Marks: and the Jurors defect herein i principal Challenge.

XIX. The Issues of the Jurors for default of appearing shall be the first Summons 12 *d.* at the second 2 *s.* and double afterwards and the Issues lost in the Mayors Court shall accrue to the Mayor and Commonalty, and those lost in the Sheriffs Court to the Sheriffs.

XX. An Attaint may be sued by Bill in the Hustings of *Londo* upon any false Verdict given in any of the Courts of that City: An thereupon the Mayor shall award a Precept to every Alderman t present (either by themselves or their Deputies) unto the said May or at the next Hustings, the Names of four indifferent and discree Citizens out of each of their Wards, each of them being worth Estate 100 pounds at least; out of which the Mayor and six Alde men, or more, shall impanel 48, whom the Mayor shall cause to b summoned together with the Tenants or Defendants in the Attain to appear at the next Hustings: and if upon default of appearance o otherwise there shall need a *Tales*, the pannel shall be supplied out the rest presented, or by other such Citizens, at the discretion o the said Mayor and six Aldermen.

XXI. Pleas of Attaints commenced in *London*, shall be Trie there by Inquests of the same City, and not elsewhere.

XXII. In an Attaint there, no Challenge shall be for lack of suf ficiency in Estate.

XXIII. Thi

XXIII. The Judgment in ſuch an Attaint ſhall not extend to Lands or Tenements, nor yet to other puniſhment of the petty Jury, or other Proceſſes than ſuch as are limited by this Act.

XXIV. In ſuch an Attaint, if the petty Jury be attainted, Judgment ſhall be given againſt the Defendant, as at the Common Law, and againſt the petty Jury; to forfeit each of them 20 *l.* or more, at the diſcretion of the Court, to be employed as other penalties forfeited before them, and to ſuffer ſix months impriſonment, or leſs, at the like diſcretion of the Court, and to be for ever after diſabled to be a Juror.

XXV. But if the Verdict be affirmed, the Grand Jury ſhall further enquire the corruption of the petty Jurors: and if any of them be found to have taken any reward, or promiſes thereof, he ſhall forfeit ten times the value thereof to the Plaintiff, and ſhall further incur impriſonment, and diſability to be a Juror, as aforeſaid. The like forfeiture alſo and impriſonment ſhall be inflicted upon the Tenant or Defendant that ſhall give ſuch reward or promiſe: but this laſt forfeiture ſhall accrue to the City, in manner aforeſaid.

XXVI. If a Debt, Coſts or Damages are recovered in the firſt Action, (whereupon the Attaint is brought) and that Verdict found falſe, the Plaintiff in ſuch Attaint may ſue for reſtitution of ſuch Debt, Coſts, and Damages, by Writ, Bill or Plaint, in any of the Kings Courts, wherein no Wager of Law ſhall be admitted.

XXVII. In ſuch an Attaint, if the Plaintiff be Non-ſuit, or the firſt Verdict affirmed, the Plaintiff ſhall be impriſoned, and make Fine (to the uſe of the City) at the diſcretion of the Court.

XXVIII. Where there are one or more Plaintiffs, if any of them die, or be Non-ſuit, and albeit all the Tenants or Defendants, and ſome of the petty Jury die, yet ſhall not the Attaint abate, ſo that two of that Jury remain in life.

XXIX. The Grand Jurors that make default, ſhall forfeit for the firſt 40 *s.* for the ſecond 5 *l.* and for every other afterwards 10 *l.*

XXX. Such Proceſs ſhall be made againſt the Jurors and Parties in this Attaint, as is uſually made in Attaints at the Common Law, and ſhall be returnable at every Huſtings.

XXXI. The Attaint ſhall not remain to be taken after the firſt Summons for the default of the Tenant or Defendant, or any of the petty Jury; neither ſhall any Eſſoin be allowed in the ſame.

XXXII. When the Trial is to be *per medietatem linguæ*, the Mayor and Aldermen ſhall impannel half Strangers, worth an 100 *l.* a piece.

XXXIII. Stat. 23 *H.* 8. 3. Upon every untrue Verdict before Judges of Record (except where the thing in demand extendeth not to the value of 40 *l.* or concerneth life) the party grieved ſhall have an Attaint againſt the petty Jury, and alſo againſt the party that hath the Jury thereupon.

XXXIV. The

XXXIV. The Proceſſes here ſhall be Summons, Reſummons and Diſtreſs infinite, as well againſt the petty Jury and party, as againſt the Grand Jury, who ſhall be of the accuſtomed number, and have Lands of the yearly value of 20 Marks out of ancient Demeſne.

XXXV. The Diſtreſs ſhall be awarded 15 days before the return thereof, and ſhall be made upon the Land of every one of the Grand Jury, as is uſed in other Diſtreſſes.

XXXVI. Albeit the Defendant, or petty Jury, or ſome of them appear not, yet the Grand Jury ſhall proceed.

XXXVII. If any of the petty Jury appear, the Plaintiff ſhall aſſign the falſe Seerment, whereunto the petty Jury ſhall have no other anſwer (if they be the ſame perſons, and the Writ, Proceſſe, Return and Aſſignment be good) but that they be made true Seerment, which ſhall be tried by 24 of the Grand Jury, unleſs the Plaintiff hath before been Non-ſuit, or diſcontinued his Suit, or had Judgment againſt the ſame Jury for the ſame Verdict.

XXXVIII. Howbeit the Defendants may plead that they gave a true Verdict, or any other matter which may bar the Attaint: but notwithſtanding ſuch Plea, the Grand Jury ſhall nevertheleſs enquire whether the firſt Jury gave a true Verdict or no.

XXXIX. If the petty Jury be found to have given an untrue Verdict, they ſhall each of them forfeit 20 *l.* to be divided betwixt the King and the Plaintiff, and incur ſeveral Fines at the diſcretion of the Juſtices, and be ever after diſabled to give Teſtimony in any Court.

XL. If the Defendants Plea in bar be found againſt him, the Plaintiff ſhall have Judgment to be reſtored to that he loſt, with his reaſonable Coſts and Damages.

XLI. Outlawry or Excommunication ſhall be no Plea againſt the Plaintiff in Attaint; and in the aforeſaid Proceſs ſuch day ſhall be given as in Dower, but no Eſſoin or Protection allowed.

XLII. If the Grand Jury appear not, ſo that the petty Juries Verdict remains untried, the Defaulters ſhall upon the firſt Diſtreſs forfeit 20 *s.* upon the ſecond 40 *s.* and upon every default after 5 *l.* The like penalty is alſo to be inflicted upon the *Tales*.

XLIII. The Attaint is maintainable ſo long as any two of the petty Jury are alive.

XLIV. An Attaint ſhall alſo lie for a perſonal thing under the value of 40 *l.* in manner aforeſaid; ſave only that in ſuch caſe the Grand Juror is to have Lands worth 5 Marks *per annum*, (out of Ancient demeſne) or to be worth an 100 Marks in Goods; and the forfeiture of each petty Juror ſhall be but 5 *l.*

XLV. For want of ſufficient Jurors in one County, a *Tales* ſhall be awarded into another County at the diſcretion of the Juſtices.

XLVI. An Attaint ſhall alſo lie for him in Reverſion or Remainder. And alſo in Attaint if the Plaintiff be Non-ſuit, or diſcontinue the Suit, he ſhall be Fined at the diſcretion of the Juſtices.

XLVII. A

XLVII. All Attaints shall be hereafter taken in the Kings Bench or Common-Pleas, and not elsewhere; and *Nisi prius* shall be granted upon the Distress at the discretion of the Justices: also any of the petty Jury may appear and answer by Attorney.

XLVIII. As concerning the Forfeitures, the several moieties shall be recovered by the King and parties respectively by *Ca. ja.* or *Fi. fa.* or *Elegit*, or Action of Debt against each of the petty Jury, their Executors or Administrators, having then sufficient Goods of the Testators not Administred.

XLIX. Judgment and Execution of restitution to the Plaintiff, and of discharge of restitution to the Tenant or Defendant, shall be given and had as in case of a grand Attaint hath been used.

L. The Non-suit or release of one Plaintiff shall not prejudice his Companions.

LI. In every Writ of Attaint after the *Teste* these words shall be inserted, *Per Statutum continuatum usque annum* 23 H. 8. *Dei gratia*, &c.

LII. This Act shall not be prejudicial to the Statute of 11 *H.* 7. 21. but every man for any untrue Verdict in *London* may bring an Attaint upon this or that, at his pleasure.

LIII. Stat. 37 *H.* 8. 5. Citizens of *London* being worth 400 Marks in personal Estate may be impannelled and returned by the Sheriffs of *London* upon Attaints there, albeit they have no real Estates, notwithstanding the Statute of 23 *H.* 8. 3.

LIV. The Justices shall hereafter sit upon Attaints in *London* at *Guildhall*, or some other convenient place in that City, and not elsewhere: neither shall the Citizens there be compellable to appear upon any such Attaint in any other place, notwithstanding the said Statute of 23 *H.* 8.

Attorney.

I. Merton, *cap.* 10. 20 *H.* 3. Every Free-man that oweth Suit to the County, Tithing, Hundred or Wapentake, or to a Court-Baron, may make an Attorney to do his Suit for him.

II. West. 2. *cap.* 10. 13 *E.* 1. Any person may make a general Attorney to sue in all Pleas, during the Circuit of Justices in Eyre: howbeit that shall not excuse the party from being put upon Juries and Assises before the same Justices.

III. Stat. 7 *R.* 2. 14. They who shall depart the Realm with the Kings Licence, may before their departure have a Patent from the Chancellor (with the advice of the Justices) enabling them to make general Attorneys to answer for them in Writs of *Præmunire facias*, and all other Writs and Plaints; in which Patent particular mention shall be made of Writs and Plaints of *Præmunire facias*: and those Attorneys may make Attorneys under them.

IV. Stat. 4 *H.* 4. 18. All Attorneys shall be examined by the Justices, and by their discretion put into the Roll.

V. Thoſe that are by them approved, ſhall ſwear truly to ſerve in their Offices, and to make no Suit in a foreign County. An inſufficient Attorney ſhall be put out by the like diſcretion of the Juſtices; and their Maſters or Clients ſhall have notice thereof, leſt they be prejudiced thereby.

VI. As any die or ceaſe, the Juſtices ſhall appoint others, being vertuous, learned, and ſworn, as aforeſaid.

VII. If any Attorney be found notoriouſly in fault, he ſhall forſwear the Court, and be never admitted into any other Court.

VIII. The Treaſurer and Barons of the Exchequer ſhall purſue the like courſe there at their diſcretion.

IX. Stat. 4 *H.* 4. 19. No Officer of a Lord of a Franchiſe which hath return of Writs, ſhall be an Attorney in the ſame.

X. Stat. 7 *H.* 4. 13. Impotent perſons that are Out-lawed may make their Attorney: Howbeit in the Writ of *Capias ad ſatisfac'* the Common Law ſhall ſtill hold place.

XI. Stat. 33 *H.* 6. 7. There ſhall be but ſix common Attorneys in *Norfolk*, ſix in *Suffolk*, and two in *Norwich*, if that ſhall ſeem reaſonable to the Juſtices. *But it ſeems the Juſtices did not think it reaſonable, becauſe this Act was never yet put in ure.*

XII. Stat. 32 *H.* 8. *cap.* 30. Every Attorney ſhall enter his Warrant of Attorney in every Suit upon Record in Court, on paln of 10 *l.* and further puniſhment by impriſonment at the diſcretion of the Court.

XIII. Stat. 3 *Jac.* 7. An Attorney, Sollicitor, or Servant to any, ſhall not be allowed any Fees laid out for Counſel or otherwiſe, unleſs he have Tickets thereof ſigned by the Hand of them that receive ſuch Fees; and he ſhall alſo give unto his Client true Bills of all the Charges of Suit under his own Hand, before he can charge his Client with the payment thereof.

XIV. If he delay his Clients Suit for gain, or demand by his Bill more than his due Fees and Diſburſements, the Client ſhall recover againſt him his Coſts and treble Damages, and he himſelf ſhall be for ever after diſabled from being an Attorney or Sollicitor any more.

XV. None ſhall be admitted Attorneys in Courts of Record, but ſuch as have been brought up in the ſame Courts, or otherwiſe well practiſed in ſolliciting of Cauſes, and alſo ſkilful and of honeſt diſpoſition: and none but ſuch ſhall be hereafter ſuffered to ſollicit Cauſes in any Court.

XVI. An Attorney ſhall not admit any other to follow a Suit in his name, in pain that each of them ſhall forfeit 20 *l.* to be divided betwixt the King and party grieved.

Avowry.

I. Stat. 21 *H.* 8. 19. Upon a Replevin ſued, an Avowry may be made by the Lord, or Conuſance, and juſtification by his Baliff, or Servant, upon the Land holden of the ſaid Lord, without naming any perſon certain to be Tenant thereof. The like Law is alſo upon every Writ ſued of ſecond deliverance.

II. In any *Replegiare* or ſecond deliverance for Rents, Cuſtoms, Service, or Damage Feaſant, if the Avowry, Conuſance or Juſtification be found for the Defendant, or the Plaintiff be Non-ſuit, or otherwiſe barred, the Defendant ſhall recover ſuch Damages and Coſts as the Plaintiff ſhould have had if he had recovered.

III. Both parties ſhall in ſuch Writ have like Pleas, Aid-prayers, and Joinders in Aid, as at Common Law, notwithſtanding this Act; Pleas of *Diſclaimer* only excepted.

IV. Stat. 17 *Car.* 2. *cap.* 7. When a Plaintiff ſhall be Non-ſuit before Iſſue in any Suit of Replevin, removed or depending in any of the Courts at *Weſtminſter*, the Defendant making Suggeſtion in the nature of an Avowry for Rent, the Court, upon his Prayer ſhall award a Writ to the Sheriff to enquire of the Sum in arrear, and the value of the Diſtreſs, whereupon notice of 15 days ſhall be given the Plaintiff or his Attorney in Court, of the ſitting of ſuch Enquiry, upon return of which Inquiſition, the Defendant ſhall recover the Arrears, if the Diſtreſs amount to that value, elſe the value of the Diſtreſs with Coſts, and ſhall have Execution thereupon by *Fieri facias* or *Elegit*, or otherwiſe as the Law ſhall require.

V. If ſuch Plaintiff be Non-ſuit after Avowry and Iſſue joyned, or if the Verdict be againſt him, the Jury at the Defendants Prayer ſhall enquire *ut ſupra*, and the Avowants recover *ut ſupra*.

VI. If Judgment be upon Demurrer for ſuch Avowant, the Court at the Defendants Prayer ſhall award a Writ to enquire the value of the Diſtreſs, whereupon he ſhall have Judgment *ut ſupra*.

VII. Where the Diſtreſs ſhall not be found to be to the value of the Arrears, the Party may Diſtrain for the reſidue.

VIII. Stat. 19 *Car.* 2. *cap.* 5. The Act of 17 *Car.* 2. *cap.* 17. ſhall be of force in all Cauſes of Replevin in the Court of Common-Pleas for the County Palatine of *Lancaſter*, the Court of the Great Seſſions of *Wales*, the Court of the Great Seſſions for the County Palatine of *Cheſter*, and the Court of Common-Pleas for the County Palatine of *Durham*.

Banks.

I. Magna Charta, 9 *H.* 3. 15. No Town or Free-man ſhall be Diſtrained to make Bridges or Banks, but ſuch as of old time have uſed to make them in the time of King *Henry* our Grandfather.

II. Magna Charta, 9 *H.* 3. 16. No Banks ſhall be defended from henceforth, but ſuch as were in defence in the time of King *Henry* our Grandfather, by the ſame places and bounds as in his time.

III. Stat. 27 *Eliz.* 24. Juſtices of Peace in *Norfolk* ſhall take order for the repair of Sea-banks and Sea-works within the ſame County.

IV. Every perſon ſhall be charged towards the repair of Sea-banks, as they are chargeable towards High-ways.

V. The High-Conſtables ſhall be Surveyors of that Work.

VI. Thoſe charged towards Sea-works ſhall be diſcharged towards the amendment of High-ways.

Bankrupts.

I. Stat. 34 *H.* 8. 4. The Lord Chancellor, Treaſurer, *&c.* ſhall take order with the Bankrupts Bodies, Lands and Goods, for the payment of their Debts. *But this was altered by the enſuing Statutes.*

II. Stat. 13 *Eliz.* 7. If any perſon (Subject or Denizen) exerciſing Trade doth depart the Realm, conceal him or her ſelf, take Sanctuary, ſuffer him or her ſelf to be Arreſted, Outlawed or Impriſoned without juſt cauſe, to the intent to defraud Creditors, being alſo Subjects born, he ſhall be deemed a Bankrupt.

III. The Lord Chancellor or Keeper, upon a Complaint in Writing againſt any ſuch Bankrupt, may appoint honeſt and diſcreet perſons to take ſuch order with the Body of ſuch Bankrupt, whereſoever found, and alſo with the Lands (as well Copy as Free,) Hereditaments, Annuities, Offices, Writings, Goods, Chattels, and Debts, whereſoever known, which the Bankrupt hath in his own right, with his Wife, Child, or Children, or by way of Truſt to any ſecret uſe; and to cauſe the ſaid Premiſſes to be ſearched, rented, appraiſed, and ſold, for the payment of the Creditors rateably according to their Debts, as in the diſcretions of ſuch Commiſſioners (or the moſt part of them) ſhall be thought fit.

IV. The Vendees of Copyhold-Lands ſhall compound with the Lord for their Fines, and then ſhall be admitted, and make Fealty according to the Cuſtom of the Manor.

V. Such of the Commiſſioners as execute the Commiſſion ſhall (upon the Bankrupts requeſt) render him an account, and alſo the overplus (if any be) unto him, his Executors, Adminiſtrators, or Aſſigns.

VI. The Commiſſioners have power to convene before them any perſon accuſed or ſuſpected to have any of the Bankrupts Goods, Chattels or Debts, to be indebted unto him, and for diſcovery thereof, to examine upon Oath or otherwiſe, as they (or the moſt of them) ſhall think fit.

VII. The perſon refuſing in that behalf to diſcloſe or ſwear, ſhall forfeit

orfeit the double value of the Goods, Chattels or Debts ſo concealed, to be ordered and employed by the Commiſſioners, or the moſt part of them.

VIII. The perſon demanding or detaining any of the Bankrupts Lands, Goods, Chattels or Debts, (not juſtly due) ſhall forfeit the double value, to be levied, recovered and employed as aforeſaid.

IX. If after all the Creditors are paid out of the Bankrupts Eſtate, and the Forfeitures, any ſurpluſage ſhall remain, it ſhall be by the Commiſſioners divided betwixt the Queen, her Heirs and Succeſſors, and the Poor of the Place where ſuch Bankrupt happens to be.

X. If any perſon indebted abſent himſelf from his uſual Place of abode, upon complaint, the Commiſſioners (or the moſt part of them) ſhall award five Proclamations to be made upon five ſundry Market-days near the ſaid Place, commanding him to render himſelf to the Commiſſioners, or one of them; which if he do not within convenient time, he ſhall be adjudged out of the Queens Protection: and the Party wittingly receiving or concealing him ſhall (upon information of the Commiſſioners, or the moſt part of them) ſuffer ſuch Impriſonment, and pay ſuch Fine, as the Lord Chancellor or Keeper ſhall think fit.

XI. The Creditor not fully ſatisfied by this means, may (notwithſtanding this Act) take his courſe at Law againſt the Bankrupt for the reſidue of his Debt.

XII. The Eſtate which happeneth to the Bankrupt by Purchaſe or Deſcent after he becomes a Bankrupt, ſhall alſo be extendable by the Commiſſioners, or the more part of them.

XIII. This Act ſhall not extend to annual Eſtates of Land (Free or Copy) by him conveyed before he became Bankrupt, ſo that they were ſo conveyed *bona fide*, and not to ſuch as were privy to his fraudulent purpoſe.

XIV. Stat. 1. *Jac.* 15. Every Subject born, or Denizen, who uſing Trade ſhall depart the Realm, keep Houſe, abſent him or her ſelf, take Sanctuary, ſuffer him or her ſelf to be Arreſted for Debt not juſtly grown due, to be Outlawed, Impriſoned, fraudulently procure his Perſon to be Arreſted, or Goods Attached, depart from home, make any fraudulent Grant of Lands or Goods, with intent to deceive his other Creditors, being Subjects born, or being Arreſted lie in Priſon ſix Months or more, ſhall be adjudged a Bankrupt.

XV. The Bankrupt hereby deſcribed ſhall be proceeded againſt as is limited by the Stat. of 13 *Eliz.* 7. in like manner as if he had been there ſo fully deſcribed.

XVI. Any Creditor ſhall be received to take his part, if he come in within four months after the Commiſſion ſued out, and pay his part of the Charge; otherwiſe the Commiſſioners may proceed to Diſtribution.

XVII. If a Bankrupt grant his Lands or Goods, or transfer his

Debt into other mens Names, except to his Children upon Marriage, (they being of age to consent) or upon valuable consideration, the Commissioners may (notwithstanding) sell them, and such Sale shall be good.

XVIII. If upon warning in Writing left three times at the most usual Place where he dwelt within one year before he became Bankrupt he appear not before the Commissioners, they may cause him to be proclaimed at some publick Place or Places: and if upon five such Proclamations he yield not himself, they shall by Warrant cause him to be brought before them to be examined concerning his Estate, *&c.*

XIX. If the Bankrupt shall refuse to be examined, the Commissioners shall commit him until he conform: or if being examined he commit perjury in prejudice of the Creditors to the value of 10 *l.* or more, he shall be Indicted for the same, and after conviction stand upon the Pillory, and have one of his Ears nailed thereto, and cut off.

XX. If any person be known or suspected to detain any of the Bankrupts Estate, and do not appear or send some lawful Excuse at the next Meeting after warning given him, or, appearing, refuseth to be examined upon Oath, the Commissioners by Warrant shall cause him to be Arrested, and if he still refuse, shall commit him until he submit.

XXI. The Witnesses shall have convenient Charges allowed them rateably by the Creditors; and such of them as shall be perjured, and their procurers, shall be Indicted upon the Statute of 5 *Eliz.* 9. which see in *Perjury*.

XXII. The Forfeitures of this Act shall be recovered by the Creditors, and (the Costs of Suit deducted) shall be rateably divided amongst them.

XXIII. The Commissioners have power to assign the Bankrupts Debts to the Creditors, and by such Assignment they shall be recoverable by the Creditors, as their proper Debts.

XXIV. No Debtor shall be prejudiced by payment of his Debt to the Bankrupt, before he have notice that he is Bankrupt.

XXV. The Commissioners shall make such Account to the Bankrupt, and likewise pay him the overplus, as by 13 *Eliz.* 7. is ordained; and the Creditors being all satisfied, the Bankrupt may recover the remaining Debts.

XXVI. If any of the Commissioners, or other person employed by them, be sued for any act done by force of the Commission, the Defendant may plead *Not-guilty*, or justifie, and the whole matter shall be brought in Evidence, according to the very truth thereof; and if the Verdict pass for the Defendant, he shall have his Costs.

XXVII. The Commissioners shall proceed to Execution notwithstanding the death of the Bankrupt.

XXVIII. Stat. 21 *Jac.* 19. All Laws made against Bankrupts shall be beneficially construed for the Creditors.

XXIX. All

XXIX. All perſons of Trade, and Scriveners that procure Protection, (except of Parliament) and all ſuch as by exhibiting Petitions endeavour to compel their Creditors to take leſs than their due Debts, or to gain time for the payment thereof, or being indebted in 100 *l.* or more, ſhall not ſatisfie the ſame within ſix months after the ſame grows due, and their Debtor arreſted, or within ſix months after the original Writ ſued out, and notice given thereof, or left in Writing at the Place of his abode, or after Arreſt lie ſix months in Priſon, or eſcape out of Priſon, or procure Enlargement by putting in common Bail, ſhall be adjudged a Bankrupt; and in caſe of Arreſt or Impriſonment, from the time of the Arreſt.

XXX. Commiſſions and other Proceedings provided by 13 *El.* 7. and 1 *Jac.* 15. ſhall be alſo purſued againſt him that is deſcribed to be a Bankrupt by this Act; and Proceedings provided by this Act ſhall be purſued againſt him that is deſcribed to be a Bankrupt by 13 *El.* 7. and 1 *Jac.* 15.

XXXI. The Bankrupts Wife ſhall alſo be examined upon Oath: and if ſhe appear not, or refuſe to be examined, ſhe ſhall incur the puniſhment inflicted by the former Laws in like caſes.

XXXII. The Bankrupt that fraudulently concealeth his Goods, or rendreth not ſome juſt reaſon why he became Bankrupt, ſhall after conviction be ſet upon the Pillory, and loſe one of his ears.

XXXIII. The Commiſſioners may by themſelves or others break open the Bankrupts Houſe, Cheſts, *&c.* where his Eſtate is, or is reputed to be, and then ſeize and order his Body and Eſtate, as by the Law is ordained.

XXXIV. In the diſtribution of the Bankrupts Eſtate, no more reſpect ſhall be had unto the Debts upon Judgment, Recognizances, Specialties with Penalties, or the like, then to other Debts.

XXXV. The Commiſſioners may proceed, when the Bankrupt by fraud makes himſelf Accomptant to the King.

XXXVI. Another mans Goods in the Bankrupts poſſeſſion and diſpoſition, ſhall be alſo diſtributed by the Commiſſioners, as the Bankrupts own Goods.

XXXVII. The Commiſſioners Grant of the Bankrupts Entailed Lands ſhall be good, except when the Reverſion or Remainder is in the King.

XXXVIII. Conditional Eſtates granted by the Bankrupt may be redeemed by the Commiſſioners, and afterwards ſold as his other Eſtate.

XXXIX. No Purchaſer ſhall be Impeached by this or the former Act, unleſs the Commiſſion be ſued forth within five years after he becomes Bankrupt.

XL. This Act, as alſo the former, ſhall extend to Strangers, (both Aliens and Denizens) as well as to Subjects born, as well to be relieved, as alſo to be ſubject to the Penalty thereof.

XLI. Stat. 13 & 14 *Car.* 2. *cap.* 24. None that adventure in the

Eaſt-India or *Guinea* Company, or put Money into any Stock for carrying on the Fiſhing Trade, and receive their Dividend in Goods, which they ſell or exchange, ſhall by reaſon thereof only be liable to the Statutes of Bankrupts.

Barwick.

I. Stat. 22 *E.* 4. 8. Merchandiſe carried into or brought out of *Scotland*, or the iſles thereof, ſhall be firſt brought to *Barwick*, in pain to forfeit the ſame.

II. The Burgeſſes and Free-men of *Barwick* only ſhall have the ſelling of all Salmon taken in *Tweed*. And the Merchants and Free-men there ſhall have the Farm of the Waters Royal and Fiſhings within the Seigniory there.

III. Stat. 1. *Jac.* 28. An Act for the Liberties of *Barwick*.

Baſtardy and Baſtards.

I. Merton, *cap.* 9. 20 *H.* 3. A Child born before Marriage is a Baſtard, albeit the common Order of the Church be otherwiſe.

II. Stat. 9. *H.* 6. 11. No Writ ſhall be awarded to the Ordinary to certifie Baſtardy, before three Proclamations be made in Chancery in three months, *viz.* once every month, that all perſons who have any thing to object againſt the Party for Baſtardy ſhall ſue to the Ordinary for that purpoſe.

☞ III. Stat. 18 *Eliz.* 3. The two next Juſtices (1 *Qu.*) may take order as well for the puniſhment of the Mother and reputed Father of a Baſtard-Child, as alſo for the relief of that Pariſh where it is born, by charging the ſaid Mother and Father with the ſuſtentation thereof by payment of Money weekly, or otherwiſe.

IV. If the Mother and Father perform not the Juſtices Order therein, they ſhall ſuffer Impriſonment without Bail, except he, ſhe or they give Security to perform it, or elſe to appear the next Quarter Seſſions, and alſo to abide the Order of the greater part of the Juſtices there, if any ſhall be there made; if not, then to perform that made by the two Juſtices.

☞ V. Stat. 7 *Jac.* 4. Juſtices of Peace ſhall commit to the Houſe of Correction lewd Women which have Baſtards that may be chargeable to the Pariſh, there to be puniſhed, and ſet on work one whole year: and if they offend again, they ſhall not be enlarged without giving good Security to offend no more.

☞ VI. Stat. 21 *Jac.* 27. It ſhall be Murther for a Mother to conceal the death of her Baſtard-Child, unleſs ſhe can prove by one Witneſs (at leaſt) that it was ſtill born.

☞ VII. Stat. 3. *Car.* 1. 4. All Juſtices of Peace within their ſeveral Limits and Seſſ. may do and execute all things concerning that part of 18 *El.* 3. which concerns Baſtards, that by the Juſtices of Peace in the ſeveral Counties are by the ſaid Statute limited to be done.

VIII. Ba-

VIII. Baſtards maintenance by the putative Fathers and Mothers. See Title *Poor*.

Battail and Grand Aſſiſe.

I. Weſt. 1. *cap.* 41. 3 *E.* 1. Part of the Oath in a Writ of Right, or the Demandants Champion, expunged.

Beaupleader.

I. Mart. *cap.* 11. 52 *H.* 3. Weſt. 1. *cap.* 8. 3 *E.* 1. and 1 *E.* 3. *cap.* 8. *Stat.* 2. No Fines ſhall be hereafter taken in Circuits, Counties, Hundreds or Court-Barons, for fair Pleading.

Beer, Ale, and Mum.

I. Stat. 22 & 23 *Car.* 2. *cap.* 13. It ſhall be lawful to Export and Ship off in the preſence of a ſworn Gauger or other ſworn Officer to be appointed by the Farmers, Commiſſioners, or Sub-Commiſſioners of Exciſe, upon notice given at the Office of Exciſe, within the Limits whereof they were Brewed, or the Place whence they ſhall be Shipped, Ale, Strong Beer, or Mum, paying 1 *s. per* Tun, and no other Duty. Which Gauger or Officer ſhall certifie the quantity Shipt off, to the Commiſſioners and Officers of Exciſe where Entry thereof ſhall be made: who ſhall make allowance, or repay the Exciſe thereof, deducting 1 *s. per* Tun, for the Officers charges.

II. They that ſhall cauſe any of the ſaid Liquors ſo Shipt off to be unladen or put into any other Veſſel in *England*, *Wales*, or Town of *Barwick*, ſhall forfeit the ſame, and 100 *l.* for every Cask, the one moiety to the King, the other to the Proſecutor.

III. The Officers of the Cuſtoms ſhall charge Maſters of Ships in their Victualling-Bills with ſo much of the ſaid Liquors, as ſuch number of Men uſe to ſpend in ſuch Voyages.

IV. The Rate of 1 *s. per* Tun for the ſaid Liquors Exported, ſhall be paid under ſuch Penalties as by the Laws of Tunnage and Poundage.

V. No Mum Imported ſhall have any part of the Cuſtoms or Exciſe repaid upon Exportation.

VI. This Act ſhall continue ſix years from the 26*th* of *June* 1671. and to the end of the next Seſſion of Parliament.

VII. Continued by the Statute of 29 *Car.* 2. *cap.* 2. for three years from the end of that Seſſion.

Biſhops and Biſhopricks.

I. Stat. 1 *E.* 3. *Stat.* 2. *cap.* 2. The King ſhall not cauſe to be ſeiſed into his hands the Temporalities of any Biſhop.

II. Stat.

II. Stat. 14 *E.* 3. *Stat.* 3. *pro Clero, cap.* 3. The Temporalities of Biſhops or other people of Holy Church, ſhall not be ſeiſed into our hands without a juſt cauſe.

III. Stat. 25 *E.* 3. *Stat.* 3. *pro Clero, cap.* 6. A Biſhops Temporalities ſhall not be ſeiſed into the Kings hand for a Contempt, but he ſhall hereafter in ſuch caſe pay a reaſonable Fine.

IV. Stat. 26 *H.* 8. 14. *Thetford, Ipſwich, Colcheſter, Dover, Gilford, Southampton, Taunton, Shaftsbury, Molton, Marlborough, Bedford, Leiceſter, Glouceſter, Shrewsbury, Briſtol, Penreth, Bridgewater, Nottingham, Grantham, Hull, Huntington, Cambridge, Pereth, Barwick, St. Germans* in *Cornwall*, and the *Iſle of Wight*, ſhall be Sees of Biſhops Suffragans, and the Biſhops of ſuch Sees ſhall be Suffragans of this Realm.

V. The Biſhop ſhall by Petition preſent to the King two perſons to be his Suffragans, whereof the King ſhall allow one, who ſhall thereupon be called Biſhop-Suffragan of that See, and ſhall by the Kings Letters Patents be preſented to the Archbiſhop of the reſpective Province to be Conſecrated to the Dignity of that Office, which the Archbiſhop ſhall do within three months after the receit of ſuch Letters Patents.

VI. The Suffragan ſhall not exerciſe any greater Authority, nor make any other benefit, than what is limited unto him, by Commiſſion from the Biſhop of the Dioceſs, in pain to incur a *Præmunire.*

VII. The Suffragan himſelf, or the Biſhop that preſents him to the King, ſhall at their own Coſts provide two Biſhops or Suffragans to Conſecrate the Suffragan with the Archbiſhop.

VIII. The Suffragans Reſidence over the Dioceſs ſhall be ſufficient for his Benefice, and a Suffragan may have two Benefices with Cure.

IX. Stat. 1 *E.* 6. 2. The Writ of *Conge d' eſlire* ouſted, and none but the King (by Letters Patents) ſhall Collate to an Archbiſhoprick or Biſhoprick.

X. An Archbiſhop, Biſhop or Suffragan Collated by the King, ſhall pay all uſual Fees.

XI. All Proceſs Eccleſiaſtical ſhall be in the Kings Name, but the *Teſte* in the name of the perſon having Eccleſiaſtical Juriſdiction; and when they iſſue from the Commiſſary, Official, or other Subſtitute, he ſhall ſubſcribe his Name after the *Teſte.*

XII. The Seal of Office belonging to any ſuch perſon, ſhall have the Kings Arms engraven upon it, with Characters under them to notifie the Dioceſs, and he ſhall not uſe any other Seal, in pain of Impriſonment during the Kings pleaſure.

XIII. Provided, that no more or other Fees be taken for ſuch Seal than as before; and that the Archbiſhop of *Canterbury* may uſe his own Seal and Name for Faculties and Diſpenſations, according to the Statute of 25 *H.* 8. 21. and alſo that Archbiſhops and Biſhops may

may make and order their Subſtitutes, and may alſo iſſue Commiſſions of Suffragans, Certificates to the Court of Tenths, Collations, Preſentations, Gifts, Inſtitutions, Inductions, Letters of Order or Dimiſſories, under their own Names and Seals, as in times paſt.

XIV. Certificates into a Court of Record ſhall be in the Kings Name, under the Biſhops Seal, engraven with the Kings Arms, as aforeſaid, *Teſte* the Biſhop.

XV. *But note that this Statute was Repealed by* 1 M. 2. *and that Act of* M. *is afterwards Repealed by* 1 Jac. 25. *Yet* quære *whether that Statute* 1 E. 6. 2. *be now in force.*

XVI. Stat. 3 *E.* 6. 1. The Form of Conſecrating Biſhops and Prieſts, is eſtabliſhed, being compriſed in a Book compiled by ſix Prelates, and ſix other appointed by the King: which Statute ſee in *Service and Sacraments.*

But note that this Act was alſo Repealed by 1 M. 2. *as the other next before.*

XVII. Stat. 1 *&* 2 *Phil. & Mar.* 8. All Biſhops are confirmed. Which ſee in *Rome.*

XVIII. Stat. 8 *Eliz.* 1. The Statute of 1 *Eliz.* 1. touching the Book of Common Prayer and Adminiſtration of the Sacraments is confirmed.

XIX. The Statute of 5 *&* 6 *E.* 6. 1. touching the Form of Conſecrating Archbiſhops and Biſhops, and the making Prieſts, Deacons, and Miniſters, and all acts done concerning the Conſecrating of Biſhops by force of the Queens Commiſſion, are alſo confirmed.

XX. Provided, that no perſon ſhall be Impeached by any Certificate of any Biſhop heretofore made, touching the Oath of Supremacy made 1 *Eliz.* 1.

XXI. What Leaſes made by Biſhops be good, ſee Title *Leaſes*, Num. IX.

XXII. Stat. 39 *Eliz.* 8. Deprivations of Biſhops and Deans in the beginning of the Queens Reign, ſhall be good; and ſuch as have been made ſince the Queens time, ſhall be lawful.

XXIII. Stat. 1. *Jac.* 3. All Aſſurances of Biſhops Lands to the King, ſhall be void.

See Title *Courts and Juriſdictions Eccleſiaſtical.*

Books and Images.

I. Stat. 25 *H.* 8. 15. None ſhall buy Books to ſell again which are brought from beyond Sea ready bound, in pain to forfeit for every Book 6 *s.* 8 *d.*

II. None ſhall buy of a Stranger (that is no Denizen) any Printed Books brought from beyond Sea, except in groſs, upon the like pain.

III. The

III. The Forfeitures ſhall be Levied of the Buyers, and divided betwixt the King and the Proſecutor.

IV. The Prices of Books increaſed to unmeaſurable Rates, ſhall be qualified by the Chancellor, Treaſurer, and two Chief Juſtices, or any two of them.

☞ V. Stat. 3 & 4 *E.* 6. 10. Popiſh Books are aboliſhed, and Images taken out of, or yet remaining in Churches, ſhall be deſtroyed. But quære *whether this Statute be in force, becauſe Repealed by* 1 M. 2. *For albeit* 1 M. *afterwards be Repealed by* 1 Jac. 25. *yet becauſe the Statute of* E. 6. *was once Repealed, and not ſince Revived by ſpecial words, it may be doubted whether it be now in force.*

VI. Stat. 13 & 14 *Car.* 2. *Cap.* 33. None ſhall Print, or cauſe to be Printed, in *England* or elſewhere, any Books or Pamphlets, wherein any Doctrine or Opinion ſhall be aſſerted, contrary to the Chriſtian Faith, or the Doctrine or Diſcipline of the Church of *England*, or which may tend to the ſcandal of Religion, the Church, the Government or Governours thereof, or of the State, Commonwealth, or any particular perſon; nor ſhall Import or Publiſh ſuch Books or Pamphlets, nor cauſe any ſuch to be Publiſhed, Bound or Stitcht.

VII. No private perſon ſhall Print, or cauſe to be Printed any Book or Pamphlet, unleſs the ſame be entred in the Book of the Regiſter of the Company of Stationers, Except Acts of Parliament, Proclamations, and Books appointed to be Printed by Warrant under the King's Sign Manual, or the hand of a Secretary of State, and unleſs the ſame be Licenſed according to this Act; *viz.* Books of Law by the Lord Chancellor or Keeper, the Lords Chief Juſtices and Lord Chief Baron, or one or more of them, or one by their appointment: Books of Hiſtory, or concerning Affairs of State, by the Secretaries of State, or one of them, or one by their appointment: Books of Heraldry, Arms. *&c.* by the Earl Marſhal, or one by his appointment, or if there be no Earl-marſhal, by the Three Kings at Arms, or Two of them, whereof *Garter* to be one: Books of other Sciences and Arts, by the Arch Biſhop of *Canterbury* and Biſhop of *London*, or one of them, or by their appointment: or by either of the Chancellors or Vice-Chancellors of the Univerſities; provided that the ſaid Chancellors or Vice-Chancellors only Licence Books to be Printed within the Univerſities, nor meddle with Books of Law, Matters of State, nor any Book, the right of Printing whereof belongeth to any particular perſon.

VIII. Licencers of Books with Additions or Amendments, ſhall have a Copy of the ſame; which the Licencer ſhall deliver to the Printer or Owner, for the Printing thereof, and ſhall be return'd after the Printing, to the Licenſers to be kept; and if ſuch Book be *Engliſh*, there ſhall be two Copies delivered to the Licenſer, if he require it; one whereof ſhall be delivered back to the Printer or Owner, and the other kept. And upon the Copy Licenſed to be Printed, the Licenſer ſhall certifie under his hand, That there

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is nothing in the ſame contrary to the Chriſtian Faith, the Doctrine or Diſcipline of the Church, the State or Government of the Realm, or good Manners, or otherwiſe as the nature of the Work ſhall require: Which Licence ſhall be Printed in the beginning of the Book, with the Licenſer's Name.

IX. No Books ſhall be Imported into this Realm, but into the Port of *London* only, without Licence from the Archbiſhop of *Canterbury*, or Biſhop of *London*, or one of them; to whom the Importers ſhall preſent a true Catalogue thereof. And no Importer of Books into the Port of *London*, ſhall open any Fardles, wherein Books are; nor ſhall any Officer of the Cuſtom-houſe, on pain of looſing his Place, ſuffer the ſame to be delivered, before the ſaid Archbiſhop and Biſhop, or one of them, have appointed ſome Scholar and one of the Company of Stationers, to view them. And if any dangerous or offenſive Books are found, Printed in *Engliſh*, they ſhall be brought to the ſaid Archbiſhop and Biſhop, or one of them, that the importer may be Proſecuted: and ſuch further courſe be taken concerning the Books, as they ſhall think fit.

X. None ſhall Print or Import any Copies or Books, or Forms of blank Bills or Indentures for any the King's Iſlands, which any perſon by vertue of any Letters Patents, or Entry in the Regiſter-book of the Company of Stationers, or of either of the Univerſities, have the Right ſolely to Print, without the Owner's conſent: nor ſhall Bind or put to Sale any ſuch Books or Forms, without like conſent, on pain to forfeit the ſame, and be proceeded againſt as an Offender againſt this Act, and upon the further forfeiture of a Noble for every Book, Copy or Form ſo Bound, Stitcht or put to Sale: The one moiety to the King, the other to the Owner of ſuch Copies, *&c.* if they Sue within Six months. And in default of ſuch Suit to be Commenced by the Owner within Six months, then the ſame moiety to the uſe of ſuch other perſon, as within a year after the Offence committed ſhall Sue for the ſame.

XI. All perſons that ſhall Print, or cauſe to be Printed, any thing whatſoever, ſhall ſet his Name thereon, and declare the Authors Name, if required by the Licenſer, and by and for whom it is Printed, on pain to forfeit all Books, *&c.* Printed contrary hereunto: and the Inſtruments for Printing, wherewith any ſuch Books, *&c.* ſhall be Imprinted, or prepared for the Printing thereof, to be defaced; no perſon ſhall Print or put upon any Book, *&c.* the Name, Title, Mark or Vinnet of any other perſon, which hath lawful priviledge of ſole printing the ſame, without his conſent, on pain to forfeit ſuch Books, and be proſecuted as an Offender againſt this Act.

XII. No perſon whatſoever, not Licenſed by the Biſhop of the Dioceſs, nor having been ſeven years Apprentice to a Book-ſeller, Printer or Binder, nor a Freeman of the City by Patrimonial right,

right, as Son of a Book-seller, Printer or Binder, nor a Member of the Company of Stationers, shall take or buy to sell again, any Books whatsoever, on pain to forfeit them.

XIII. All *English* Books, or the greater part *English*, Imported, shall be forfeited. No Forreiner shall bring in or vend any Books whatsoever Printed beyond Sea, except Free Printers or Stationers of *London*, or such as have been brought up in that Profession, without Licence of the said Archbishop and Bishop, or one of them, on pain to forfeit the same.

XIV. None within *London*, or the Liberties thereof shall erect a Press or Printing-house, or knowingly demise, or suffer to be used, any House or Room for a place to Print in, unless he first give notice to the Master or Wardens of the Company of Stationers. No person shall make any Printing-Press, no Smith shall Forge Iron-work for a Printing-Press, nor no Founder cast Letters; nor shall any persons Import any Letters cast, nor buy any such Lettets, Printing-Presses, or other materials for Printing, unless he first acquaint the said Master and Wardens, or one of them, for whom the same are to be made, cast, or Imported, on pain to forfeit 5 *l.* for every Offence, one moiety to the King, the other to him that will Sue for the same.

XV. No man shall be admitted to be a Master Printer, till they who are are now Master-Printers, art reduced to Twenty; and thenceforth Twenty Master-Printers shall be continued, and no more, besides the King's Printers., and the Printers allowed for the Universities: And but Four Master-Founders of Letters. And in case of the death of any of the Four Master-Founders of Letters, or Master-Printers, or of Forfeiture or Avoidance of their Places, or Priviledges to Print, the said Archbishop and Bishop, or one of them shall appoint fit persons to succeed. And every person permitted to use a Printing-Press, shall become bound with Sureties in the King's Bench, or before some Judge of Assize, or the Justices of the Peace in their Quarter-Sessions, not to Print unlicensed Books.

XVI. No Master-Printer shall use above Two Printing-Presses at once, unless he have been Master or Upper-Warden of the Company, who are allow'd to keep Three, unless he have leave for some special occasion, from the said Archbishop or Bishop, or one of them.

XVII. Every Master-Printer and Master-Founder of Letters, that hath been Master or Upper-Warden of his Company, may have Three Apprentices at one time, and no more; every such Master-Printer, *&c.* being of the Livery of his Company, may have two, and no more; others, but one: Neither shall any of them, when an Apprentice shall run or be put away, take another, till the Name of him that is gone be rased out of the Hall-Book, never to be admitted again.

XVIII. Master-Printers, *&c.* are appointed to take care, That all Journey-men-Printers, and Journey-men-Founders of Letters, who

who are free of the ſaid Trades, be Imployed: ſuch Journey-men being of good behaviour, and able in their Trade, if they want imployment, ſhall repair to the Maſter-Printers, or Maſter-founders, who ſhall receive them to work, if they have not a Journey-man already, though themſelves with their Apprentices are able to diſcharge their Work, on pain to forfeit Five pounds; one moiety to the King, the other to the Informer; and if any ſuch Journey-man refuſe imployment, being offered by a Maſter, *&c.* or neglect it when undertaken, he ſhall ſuffer Three Months Impriſonment, upon Conviction before a Juſtice of Peace. No Maſter-Printer, or Founder of Letters ſhall imploy any but *Engliſh* and Freemen, or Sons of Freemen, or Apprentices to the ſaid Trades.

XIX. A Meſſenger of the King's Chamber, by Warrant under the Sign Manual or under the Hand of a Principal Secretary, or the Maſter and Wardens of the Company of Stationers, or one of them, may with a Conſtable take to their aſſiſtance whom they think fit, and when they think fit, Search all ſuſpected places, ſpecially Printing-houſes, *&c.* and view what is Imprinting or Binding, and demand a ſight of the Licenſe, and for want thereof, may Seize ſo much as they find Imprinted, together with the Offenders, and bring them before a Juſtice of Peace, who ſhall Commit them till Tryal: and ſeize Books unlicenſed, ſuſpected to contain matters againſt Church or State, and bring them before the ſaid Archbiſhop or Biſhops, or one of them, or to a Secretary of State, who ſhall take courſe to ſuppreſs them.

XX. Offenders againſt this Act, ſhall for the firſt offence be diſabled to exerciſe their Trades for three years; and for the ſecond offence be Diſabled for ever, and be Fined, Impriſoned, or Corporally puniſhed, not extending to life and limb, as the Court of King's Bench, Juſtices of Oyer and Terminer, Aſſize, of Juſtices of Peace in their Quarter-Seſſions ſhall think fit: Juſtices of Peace in their Quarter-Seſſions may determine all offences againſt this Act, and award Proceſs and Execution.

XXI. Every Printer ſhall bring three Printed Copies of every New-Printed, or Re-Printed Book to the Maſter of the Company of Stationers, one whereof ſhall be delivered to the Keeper of the King's Library, and the other two to the Chancellors of the two Univerſities for the publick Libraries.

XXII. This Act ſhall not prejudice the Rights of either Univerſity, touching Licenſing or Printing Books.

XXIII. No Search to be made in the Houſes of Peers, or of others not uſing the Trades afore-mentioned, but by Warrant under the King's Sign Manual, or under the Hand of a Secretary of State.

XXIV. Book-ſellers having ſerven Seven years, and being Free of the Company of Stationers, may Import Books ready Bound, not formerly Prohibited, which have been Printed Ten years before Importation, notwithſtanding this Act. XXV. They

XXV. They that have ſold Books in *weſtminſter*-Hall, the Palace of *weſtminſter*, or within twenty yards of the great Gate of *weſtminſter-Hall*, before the Twentieth day of *November* 1661, may ſell Books and Papers as they have done, notwithſtanding this Act.

XXVI. This Act ſhall not extend to prejudice any Rights or Priviledges granted by the King under the Great Seal or otherwiſe; nor to prohibit *John Streater* from Printing Books and Papers.

XXVII. There may be a Printing-preſs in the City of *York*, ſo as Divinity-Books there Printed be Licenced by the Archbiſhop of *York*, or whom he ſhall appoint; and other Books by ſuch Perſons to whom it appertains as aforeſaid, and ſo as no Bibles be Printed there, nor any Book, whereof the Copy belongs to the Company of Stationers or any Member thereof: and ſo as the Archbiſhop or Lord Mayor of *York* execute within the ſaid City all the powers in this Act concerning Searches, and impoſe the ſaid Penalties.

XXVIII. This Act ſhall continue two years from the Tenth of *June* 1662, and no longer. *Continued* 16 Car. 2. cap. 8. *to the end of the next Seſſion of Parliament.* *Continued* 16 & 17 Car. 2. cap. 7. *to the end of the next Seſſion of Parliament.* *Continued* 17 Car. 2. cap. 4. *to the end of the firſt Seſſion of the next Parliament.* Anno Primo Jac. 2. cap. 17. *revived and continued from the* 24th *of June* 1685, *for ſeven years, and from thence to the end of the next Parliament.*

Bows and Bow-ſtaves.

I. Stat. 12 *E.* 4. 2. Four Bow-ſtaves ſhall be brought into this Realm for every Tun of Merchandiſe brought in by any Merchant-Stranger from any Place from whence Bow-ſtaves have been formerly brought, in pain of 6 *s.* 8 *d.* for every Bow-ſtave whereof default is ſo made.

II. Search and Survey ſhall be made of ſuch Bow-ſtaves by the Head-Officer where the Ship, *&c.* Lands, who ſhall have power to appoint Officers for that purpoſe.

III. Stat. 1 *R.* 3. 11. Ten Bow-ſtaves ſhall be brought into this Kingdom for every But of Malmſey or Tyre, in pain of 13 *s.* 4 *d.* for every Tun.

IV. Bow-ſtaves ſhall not be ſold ungarbled, but to a Subject born.

☞ V. Stat. 8 *Eliz.* 10. A Bowyer dwelling in *London*, or the Suburbs, ſhall have always ready fifty Bows of Elm, Witch-haſel, or Aſh, well made and wrought, in pain of 10 *s.* for every Bow failing of that number, to be divided betwixt the King and the Proſecutor, who muſt be an Armourer, Fletcher, or Bow-ſtring-maker

VI. No Bowyer ſhall ſell a Bow of outlandiſh Elm of the beſt ſort

sort for above 6 *s.* 8 *d.* of the second sort above 3 *s.* 4 *d.* and of the worst sort above 2 *s.* nor one made of *English* Elm above 2 *s.* in pain to forfeit for every Bow otherwise sold, 40 *s.* to be divided betwixt the King, and any of the aforesaid Artificers that will sue for the same.

* VII. Stat. 13 *Eliz.* 14. The Statute of 12 *E.* 4. confirmed.

VIII. All Merchant-Strangers bringing Wares from the East Parts, as well as from the 27 Hanse-Towns, shall be bound by the said Statute of 12 *E.* 4. 2. under the pains therein contained, to be divided betwixt the King and the Prosecutor.

Brass, Laten, Copper, Bell-metal, Pewter, &c.

* I. Stat. 19 *H.* 7. 6. None shall sell or change Brass, save only in open Fairs and Markets, or in their own Houses, (except they be desired by the Buyer of such Wares) in pain of 10 *l.*

II. None shall cast or work Brass or Pewter, but according to the goodness of Metal wrought in *London*, in pain to forfeit the one moiety thereof to the King, and the other to the Finder.

III. Hollow Ware of Pewter, called Lay-metal, shall be wrought after the Assise of Lay-metal in *London*, and shall be marked, in pain to forfeit the said Wares, or (being sold) the price thereof, which shall be divided as aforesaid.

IV. None shall use (in the selling of Brass or Pewter) any false Beams or Weights, in pain to forfeit 20 *s.* to be divided as above; and in case he be not able to pay it, he shall be (by the Head-Officer) committed to the Stocks till the next Market-day, and then stand upon the Pillory.

V. Seachers of Brass and Pewter in every City and Borough shall be appointed by the Head-Officers of the same, and in every County by Justices of Peace, at their *Mich.* Sessions; and in default of Searchers in Cities and Boroughs, any other persons (skilful in that Mystery) by over-sight of the Head-Officers may take upon him the search of defective Brass, which shall be equally divided as aforesaid.

VI. Stat. 4 *H.* 8. 7. The Statute of 19 *H.* 7. 6. is confirmed: And besides, it is Enacted, that in Cities and Boroughs search of defective Tin and Pewter, shall be made by the Wardens of the Craft of Pewterers; and in Towns where no Wardens are, Searchers shall be appointed by the Head-Officers there: which said defective Ware shall be forfeited, and divided as in the former Statute.

VII. Stat. 25 *H.* 8. 9. None shall buy, or take by way of exchange, any Wares made of Tin or Pewter out of the Realm, in pain to forfeit them, and also the value thereof in money.

VIII. Officers may search and seise Wares brought into this Realm, contrary to this Act.

IX. No Stranger born shall work any Pewter or Tin in *England*, in pain to forfeit the same.

X. No Pewterer shall teach his Trade in a foreign Nation, in pain to lose the Priviledge of an *Englishman*.

XI. Liberties and Placards to wandring Braziers and Pewterers, shall be void.

XII. The Penalty of 10 *l.* mentioned in 19 *H.* 7. 6. and those likewise of this present Act, shall be equally divided betwixt the King and the Finder.

XIII. Stat. 33 *H.* 8. 4. The Statute of 25 *H.* 8. 9. is made perpetual.

XIV. None shall withstand the search of Brass, Tin, Pewter, *&c.* in pain of 5 *l.* to be divided as in the former Statute.

XV. Stat. 33 *H.* 8. 7. None shall convey out of this Realm Brass, Copper, Laten, Bell-metal, Pan-metal, Gun metal, or Shroof-metal, clean and mixed, (Tin and Lead only excepted) in pain to forfeit the double value, to be divided betwixt the King and the Prosecutor.

XVI. The Landing thereof in Foreign parts, shall be Tried and Determined in the County where it was Shipped.

XVII. None shall Transport such Metal from one part of the Realm to another, before he hath acquainted the Customer where the Ship is, with true weight thereof, and also given him Bond to the Kings use, of the double value thereof, with Condition to Land it in some part of the Realm, in pain to forfeit the same, in manner and form aforesaid; and shall also, within eight months after, bring from the Customer of the Place where he Lands it, a Certificate of the Landing thereof, which Customer shall give him or his Factor such Certificate without delay.

XVIII. The false Customer that makes a false Certificate in such case, shall lose his Place, and the value of the Goods so concealed.

XIX. If the Goods be diminished by Tempest, Enemies, or Pirates, upon due proof thereof made to the Customer by the Party, his Executor, or, *&c.* his Bond shall be re-delivered, or otherwise discharged.

XX. Stat. 2 *&* 3 *E.* 6. 37. The Penalty of 10 *l.* for every thousand weight is added to the Forfeiture of the double value of Metal Transported contrary to the Statute of 33 *H.* 8. 7.

XXI. Also 10 *l.* for every thousand weight shall be added to the double value of the Goods, and the total thereof put into the Bond to be made to the Customer, according to the Statute of 33 *H.* 8. 7. which Bond if it want a Date, the Customer shall forfeit his Place, and the value of the Goods Shipped.

XXII. If any Officer of the Ship suffer any such Metal to be Shipped, and not disclose it within three days, he shall forfeit the double value thereof; or if any Customer or Searcher, having notice thereof, do not seise it to the Kings use, he shall lose his Office, and the value of the Metal.

XXIII.

XXIII. None shall lade such Metal but where there is a Customer, in pain to forfeit 10 *l.* and the Metal.

XXIV. The Forfeitures are to be divided betwixt the King and Prosecutor.

XXV. The Statute of 33 *H.* 8. 7. in all Points not altered by this, is confirmed.

Breakers of Leagues and Truce.

I. Stat. 2 *H.* 5. 6. In every Port (beside the Cinque-Ports) there shall be a Conservator of the Truce, worth in Land 40 *l. per annum* at least, who by the Kings Letters Patents and the Admirals Commission, shall have power to enquire of (by Inquest) and inflict punishment for Offences done upon the Sea against Truce and safe Conducts, in like manner as the Admirals have heretofore used to do: howbeit, the death of a Man is reserved to the Admiral.

II. The Conservator hath power to award Processes against the Offenders, (*viz. Capias* and *Exigent*) wherein the Additions of the Parties Indicted shall truly be inserted; and also by himself or his Lieutenant to hear and determine Differences betwixt Party and Party concerning Truce and safe Conducts.

III. The Conservator shall have two Men Learned in the Law joyned in Commission with him as his Associates, and both he and they shall be sworn to take no Fee, Gift, *&c.* save of the King only; and if any be offered them, that they forthwith discover to the King or his Chancellor, in pain of Imprisonment and Fine.

IV. The Conservator shall be resident upon the Place where he is appointed Conservator, and shall have for his Fee 40 *l. per annum* at least, and a Seal of the Kings proper for his Office.

V. Every Master of a Ship (and Owner too, if he be present) shall before he departs the Ports, be sworn before the Conservator, not to attempt any thing against the Truce; and the Conservator shall Record the Name of such Master and Owner, and also of the Ship, together with the number of the Mariners, and if they take any thing from the Enemy, the Conservator shall be acquainted therewith before Discharge or Sale, if for some reasonable cause the Ship entred not some other Port; then they must procure from the Conservator there a Testimonial under Seal of the Goods taken, and their value, to be shewed to the Conservator of the Port from whence they first came. And all this they must do, in pain to forfeit the Ship, and suffer Imprisonment until they make Fine and Ransom to the King.

VI. Provided, that no Possessor of a Ship shall suffer Imprisonment, or make Fine, unless he was present in the Ship when the Offence was committed.

VII. The Admiral shall have all Forfeitures out of the Cinque-Ports, as before hath been used.

VIII. Conſervators to be made within the Cinque-Ports by the Kings Letters Patents, and the Wardens Commiſſion ſhall alſo have like power within that Franchiſe, and the Wardens ſhall have the Forfeitures there, as in times paſt. Howbeit the death of a Man is reſerved to the Warden.

IX. Stat. 4 *H.* 5. 7. If any with whom Truce is broken at Sea complain thereof to the Keeper of the Privy Seal; he ſhall have Letters of Requeſt under the Privy Seal, and if thereupon the Offender makes not Reſtitution, he ſhall have Letters of Mart granted him under the Great Seal.

X. Stat. 14 *E.* 4. 4. The former Statutes are confirmed.

☞ Bridges.

I. Stat. 1 *H.* 8. *cap.* 9. An Act for *Stanes* Bridge, *Comitat. Middleſex.*

II. Stat. 8 *H.* 6. 28. An Act for making *Burford* and *Culhamford* Bridges.

III. Stat. 22 *H.* 8. 5. Four Juſtices (1 *Qu.*) ſhall in Seſſions enquire, hear and determine the Annoyances of Bridges, and of the High-ways adjoyning within 300 Foot next unto the ſaid Bridges; and ſhall alſo charge ſuch as ſhould repair them, by ſending forth Proceſſes, and ſetting Pains, as they ſhall think fit.

IV. When it cannot be known what Precinct ſhall repair a Bridge or Way, they ſhall be repaired by the County, Riding or Corporation, within which they are ſituate: and if they happen to be ſituate in two of ſuch Precincts, the Inhabitants there ſhall repair the ſeveral parts reſpectively.

V. The ſaid four Juſtices have power to call before them the Conſtables, or two able Men, of every Pariſh, and by their aſſent to make a Tax, and to appoint Collectors to Levy the ſame by Diſtreſs and Sale, and alſo to appoint Surveyors of ſuch decayed Bridges and Ways, unto whom the Collectors ſhall pay the Money Levied; which ſaid Collectors and Surveyors ſhall render an Account unto the ſaid Juſtices, upon pain of Impriſonment without Bail.

VI. The Juſtices may in this caſe ſend Proceſs out of their Juriſdiction, which the Officers to whom it is directed ſhall obey and ſerve, in pain to be Fined by the ſaid Juſtices.

VII. This Act ſhall not extend to the five Ports, nor to the Members of the ſame: ſave only that their Officers ſhall have ſuch power to reform Annoyances of Bridges and Ways there, as the Juſtices of Peace have elſewhere by force of this Act.

VIII. The Juſtices ſhall allow to the Collectors and Surveyors their reaſonable Charges.

IX. Stat. 18 *Eliz.* 17. A good Law for the maintenance of *Rocheſter* Bridge in *Kent.* See the Statute.

X. Stat.

X. Stat. 18 *Eliz.* 20. An Act for the repair of Bridges and High-ways within one mile of *Oxford*. See it at large.

XI. Stat. 23 *Eliz.* 11. An Act for the re-edifying and maintenance of the Bridges over *Toſſe* near *Cardiff* in the County of *Glamorgan* in *South-Wales*.

XII. Stat. 27 *Eliz.* 25. Another Act for the repair of *Rocheſter* Bridge.

XIII. Stat. 39 *Eliz.* 23. An Act for the making and repairing of *Newport* and *Carlion* Bridges over the River *Uſk*.

XIV. Stat. 39 *Eliz.* 24. An Act for the building of a Bridge at *Wilton* upon *wye*, in the County of *Hereford* near *Roſs*, and what Pontage ſhall be there taken.

XV. Stat. 43 *Eliz.* 16. An Act for the erecting and repairing of *Edon* and *Preſberk* Bridges in *Cumberland*.

XVI. Stat. 3 *Jac.* 23. An Act for new making and repairing of *Chepſtow* Bridge.

XVII. Stat. 3 *Jac.* 24. An Act for the building of *Upton* Bridge over *Severn* in *Worceſterſhire* within three years. *Expired*.

XVIII. Stat. 22 *Car.* 2. *cap.* 12. A Clauſe for the repairing of *uſk* and *Baſalegg* Bridges in *Monmouthſhire*.

☞ Brokers.

* I. Stat. 1 *Jac.* 21. The ſale of Goods wrongfully gotten to any Broker in *London*, *Weſtminſter*, *Southwark*, or within two miles of *London*, ſhall not alter the property thereof.

II. If a Broker, having received ſuch Goods, ſhall not upon the requeſt of the true Owner truly diſcover them, how and when he came by them, and to whom they are conveyed, he ſhall forfeit the double value thereof to the ſaid Owner.

III. This Act ſhall not prejudice the ancient Trade of Brokers in *London*, being ſelected and ſworn for that purpoſe; it being only intended againſt Fripers and Pawn-takers, who for the moſt part keep open Shop.

Burials.

I. Stat. 18 *Car.* 2. *cap.* 4. An Act for burying in Woollen only. *Rep.*

II. Stat. 30 *Car.* 2. *cap.* 3. No Corps ſhall be buried in any thing other then what is made of Sheeps-wooll only; or be put into any Coffin Lined or Faced with any thing made of any Material but Sheeps-wooll, on pain of the forfeiture of 5 *l.*

III. All perſons in holy Orders or their Subſtitutes ſhall keep a Regiſter of all perſons buried in their reſpective Precincts, or in ſuch common Burial places as their Pariſhioners are uſually buried, and ſome Relation of the party deceaſed, or other perſon, within 8 days after ſuch Interment, ſhall bring an *Affidavit* under

the Hands and Seals of two Witneſſes (and of the Officer before whom it was ſworn, for which nothing ſhall be paid) to the Miniſter, *&c.* that the ſaid perſon was not buried contrary to this Act; and for want of ſuch *Affidavit* the Goods of the party deceaſed ſhall be liable to the ſaid Forfeiture, to be Levied by Diſtreſs and Sale thereof by Warrant of the chief Magiſtrate in any Town, or any Juſtice of Peace, or in default thereof, by Diſtreſs, *&c.* of the perſons Goods in whoſe Houſe the party died, or the Goods of any that had a hand in putting ſuch perſon into any Coffin, *&c.* contrary to this Act, or that ordered the ſame; and if ſuch perſon were a Servant, and died in his Maſters Family, the Maſters Goods to be liable: if ſuch perſon died in his Parents Family, their Goods to be liable. The ſaid Forfeitures to be allowed out of the Eſtate before any Debt, or other Duty whatſoever.

IV. Such Affidavit ſhall be taken before ſome Juſtice of Peace, Maſter of Chancery, ordinary or extraordinary, Mayor, Bailiff, or other chief Officer of the City, County, Borough, *&c.* where the party was buried. If no ſuch Affidavit ſhall be brought as aforeſaid, the Miniſter ſhall give notice under his Hand to the Churchwarden, or Overſeers of the Poor, who within eight days after ſhall repair to the chief Magiſtrate in any Town, *&c.* if buried there; elſe to a Juſtice of Peace, who upon Certificate thereof from the Miniſter, *&c.* ſhall grant a Warrant for Levying the Forfeiture: one moiety thereof to the Poor of the Pariſh where the party is buried, the other to him that will ſue for the ſame.

V. Miniſters, Churchwardens, and Overſeers, and Juſtices of Peace, or chief Magiſtrates, *&c.* neglecting their Duty aforeſaid, ſhall forfeit 5 *l.* for every Offence, to be recovered by Action of Debt, Bill, Plaint, *&c.* wherein the Proſecutor ſhall recover his full Coſts, ſo as the Suit be commenced within ſix months after the Offence committed: One fourth part of which Forfeitures ſhall be to the King, two other parts to the Poor of the Pariſh where the Offender dwells, the fourth to the Informer.

VI. Every Miniſter, *&c.* ſhall keep a Regiſter, to be provided at the Pariſh charge, and enter all Burials and Affidavits, *&c.* and where none is brought as aforeſaid, ſhall enter a Memorial thereof againſt the Name of the party Interred, of the time when he notified the ſame to the Churchwarden or Overſeers of the Poor.

VII. When the ſaid Overſeers give up their Accounts at the Quarter or Petty Seſſions, or to any two Juſtices at their monthly Meetings, they ſhall give an account of the Name and Quality of every perſon Interred ſince their former Account, and of ſuch Certificates, and of their Levying the Penalties aforeſaid, and diſpoſal of the ſame, on pain of 5 *l.* to be Levied by Warrant from the ſaid Juſtices, or two of them. No Account of Overſeers ſhall be allowed, till they ſhall account for the Burials, *&c.*

VIII. No Penalty ſhall be incurred by reaſon of any that die of the Plague,

IX. Judges

IX. Judges at their Aſſizes, and Juſtices of Peace at their Quarter Seſſions ſhall give this Act in charge: and it ſhall be publickly read on the firſt *Sunday* after the Feaſt of St. *Bartholomew*, for ſeven years, preſently after Divine Service.

X. Perſons proſecuted for what they ſhall do in purſuance of this Act, may plead the General Iſſue, and give this Act in Evidence, and if the Proſecutor be Non-ſuit, or diſcontinue, or a Verdict paſſed againſt him, or Judgment upon a Demurrer, the Defendant ſhall have treble Coſts.

XI. Stat. 32 *Car.* 2. *cap.* 1. That after the Second of *February* 1680, (where no Juſtice of Peace ſhall reſide, or be to be found in any Pariſh where any Party ſhall be Interred) the Oaths or Affidavits for Burying in Woollen may be Adminiſtred, not only by ſuch Magiſtrates as are mentioned in the former Act; but alſo by the Parſons, Vicars, and Curates in every Pariſh, or Chappel of Eaſe, within the County where the Party ſhall be Interred (except the Parſon, Vicar, and Curate of the Pariſh, or Chappel of Eaſe where the Party is Interred) who are authorized and required to Adminiſter the ſaid Oaths or Affidavits, and to atteſt the ſame under their Hands *gratis*.

☞ Burning of Carts and Wood, Cutting Dams, Heads of Ponds, Conduits, Pipes, Tongues, and Ears, and Barking of Trees.

* I. Stat. 37 *H.* 8. 6. If any malicioufly and willingly cut the Head of a Pond, burn a Cart laden, a heap of Wood prepared for Coal, cut out the Tongue of any Beaſt being alive, or the Ear or Ears of any perſon, or Bark any Fruit-tree; for every ſuch Offence he ſhall loſe treble Damages to the party grieved, and pay 10 *l.* to the King.

☞ Butchers.

* I. Stat. Of Bakers and Brewers. *cap.* 7. *E.* 2. A Butcher that ſells Swines-fleſh mezzeled, or dead of the Murrain, for the firſt Offence he ſhall be Amercied, for the ſecond have the Pillory, for the third be Impriſoned and make Fine, for the fourth abjure the Town.

II. Stat. 4 *H.* 7. 3. No Butcher ſhall kill any Fleſh in his Scalding-houſe, or within the Walls of *London*, in pain to forfeit for every Ox ſo killed, 12 *d.* and for every other Beaſt, 8 *d.* to be divided betwixt the King and the Proſecutor.

III. The ſame Law ſhall extend to all other walled Towns, and to *Cambridge*, *Berwick* and *Carliſle* only excepted.

IV. Stat. 15 *Car.* 2. *cap.* 8. No Butcher ſhall ſell or expoſe to ſale by himſelf or others, any fat Oxen, Steers, Runts, Kine, Heifers, Calves, Sheep or Lambs alive, on pain to forfeit double the value, one half to the King, the other to the Informer. *Revived and continued* 22 & 23 Car. 2. cap. 19. & Jac. 2. cap. 17.

Butler of the King.

I. Stat. 25 *E.* 3. *cap.* 21. The Steward of the Houſe and Treaſurer of the Wardrobe ſhall give notice how much Wine ſhall be taken by the Butler or his Lieutenant in every Port, which number ſhall not be exceeded.

II. A Certificate ſhall be made by the Mayor and Bailiffs there, under their Seals, by Indenture betwixt them and ſuch takers of Wine to the ſaid Steward and Treaſurer, how much Wine is ſo taken.

III. If the Butler or his Lieutenant take more Wine, or any Reward, or delay any by colour of his Office, (as by Arreſt) he ſhall forfeit double damages to the Party grieved, loſe his Office, be Impriſoned, and be Ranſomed at the Kings will.

* IV. Stat. 43 *E.* 3. 3. The Kings Butler or his Lieutenant ſhall take no more Wine then he ſhall be commanded, in pain to be Impriſoned, and Ranſomed at the Kings will: and after ten days the Merchant may ſell the reſidue, notwithſtanding their Arreſt.

☞ Butter and Cheeſe.

I. Stat. 3 *H.* 6. 4. The Lord Chancellor may grant Licence under the Great Seal to any to convey Butter and Cheeſe to any other Place beſides the Staple, which then was at *Calais*.

II. Stat. 18 *H.* 6. 3. Butter and Cheeſe may be conveyed to any Place out of the Realm (being in the Kings Amity) without Licence.

* III. Stat. 3 & 4 *E.* 6. 21. None (except Inholders and Victuallers in their Houſes) ſhall buy any Butter or Cheeſe to ſell again, ſave only by Retail in open Shop, Fair or Market; and ſo not above a Wey of Cheeſe or a Barrel of Butter at one time, without fraud; in pain to forfeit the double value, to be divided betwixt the King and the Proſecutor.

* IV. Stat. 21 *Jac.* 1. 22. The Statute of 3 & 4 *E.* 6. 21. and ſo much of the Statute of 5 & 6 *E.* 6. 14. as concerns the buying and retailing Butter and Cheeſe, (which ſee in *Foreſtallers*) ſhall not extend to the Retailers of Cheeſe in *London*, *Weſtminſter*, or *Southwark*, having ſerved ſeven years in that Trade, not uttering above four Wey of Cheeſe or four Barrels of Butter at one time, without fraud.

V. Juſtices of Peace in Seſſions have power to reſtrain the retailing of Butter and Cheeſe; during which reſtraint thoſe that retail ſhall be liable to the Penalties of 3 & 4 *E.* 6. 21. and 5 & 6 *E.* 6. 14.

VI. Stat. 13 & 14 *Car.* 2. *cap.* 26. The Kilderkin of Butter ſhall contain 112 pounds neat, or above, of 16 ounces to the pound;

ound; the Firkin 56, the Pot 14, beſides Casks and Pots. Old and orrupt Butter ſhall not be packed up with new and ſound, nor Whey-Butter with Butter made of Cream; no Butter ſhall be ſalted with great Salt, nor more Salt then will preſerve it, on pain to orfeit the value of the Butter ſo falſe packed, and ſix times the va-e of every pound wanting.

VII. Sellers of Butter ſhall deliver in every Kilderkin, *&c.* the uantities aforeſaid, or be liable to make ſatisfaction for what is anting, at the price for which the ſame was ſold.

VIII. None ſhall repack Butter for ſale on pain to forfeit double he value.

IX. All perſons packing Butter for ſale, ſhall pack it in Caſks of ound, dry, well ſeaſoned Timber, marked with the weight of the mpty Caſk, and the firſt Letter of their Chriſtian Names, and urnames at length, with an Iron Brand, on pain to forfeit 10 *s.* or every 100 weight otherwiſe packed, and ſo proportionably or greater and leſſer quantities.

X. Potters ſhall ſet upon Pots for packing Butter, the weight hereof, with the firſt Letter of their Chriſtian Name, and their urnames at length, on pain to forfeit 1 *s.* for every Pot expoſed to ale not ſo marked. None ſhall expoſe to ſale Butter in Pots not marked, on pain to forfeit 2 *s.* for every Pot.

XI. All the ſaid Offences ſhall be determined in the Seſſions of Peace, or Court of Record of the Place where committed, by Action f Debt, Information, Indictment, or Preſentment; one moiety of he Forfeitures ſhall be to the uſe of the Poor of the Pariſh where he Offence is committed, the other half to the Informer, beſides his louble Coſts.

XII. Every Suit and Information ſhall be within four months af-er ſale of ſuch Butter.

Cables, Halſors, and Ropes.

1. Stat. 21 H. 8. 12. AN Act for the true making of Cables, Halſors, and Ropes in *Burport*, and within five mile thereof See the Statute at large.

* II. Stat. 35 *Eliz.* 8. None ſhall make, or cauſe to be made, any Cables of old Stuff which ſhall contain ſeven Inches in compaſs, in pain to forfeit four times the value of every Cable ſo made; neither ſhall any Tar, or cauſe to be Tarred, any Halſors or other Cordage made of old Stuff, being of leſſer Aſſiſe, nor put the ſame to ſale; in pain to forfeit the treble value of every ſuch Cable, Halſor or other Cordage of leſſer Aſſiſe than ſeven Inches made and Tarred as aforeſaid.

III. The ſaid Forfeitures are to be divided between the Queen and the Proſecutor.

Calves

Calves and other Cattel.

I. Stat. 3 & 4 *E.* 6. 19. No Cattel ſhall be bought but in open Fair and Market, and thoſe not ſold again in the ſame Fair or Market, in pain to forfeit the double value.

II. No Butcher ſhall buy any Cattel, and ſell the ſame again alive, in pain to forfeit them.

* III. Stat. 2 & 3 *P.* & *M.* 3. *Seſſ.* 2. He that keepeth above 120 Sheep, or 20 Beaſts upon every Paſture-Ground apt for Milch-kine, and not Commonable, ſhall yearly for every 60 Sheep, or 10 Beaſts, keep one Milch-Cow, and for every 120 Sheep, or 20 Beaſts, rear up one Calf, in pain to forfeit for every Cow or Calf not ſo kept or reared, 20 *s. viz.* the one half to the King and Queen, and the other to the Proſecutor, if he commence his Suit within one year after the Offence committed.

IV. Juſtices of Peace in Seſſions have power to hear and determine the breach of this Statute.

V. This Act ſhall not bind ſuch as keep Sheep or feed Beaſts only for their own Proviſion.

VI. Stat. 7 *Jac.* 1. 8. The Statute of 2 & 3 *P.* & *M.* 3. ſhall alſo extend to Grounds which ſince the ſaid Act have been or ſhall be made ſeveral.

VII. Stat. 18 *Car.* 2. *cap.* 2. Importation of Cattel dead or alive declared to be a common Nuſance. And if any great Cattel, Sheep or Swine, or any Beef, Pork or Bacon ſhall be Imported or brought from beyond Sea, except for the neceſſary proviſion of the Veſſels in which it ſhall be brought, not expoſing it to ſale, any Conſtable, Tything-man, Headborough, Churchwardens, or Overſeers of the Poor, may ſeiſe and keep the ſame 48 hours, within which time if it be made to appear to ſome Juſtice of Peace of the County by Oaths of two Witneſſes, that it was not Imported contrary to this Act, it ſhall be delivered him upon ſuch Juſtices Warrant, elſe ſhall be forfeited, one half to the Poor of the Pariſh where ſeiſed, the other half to him that ſhall ſeiſe.

VIII. If any Ling, Herring, Cod or Pilchard, freſh or ſalted, dried or bloated, or any Salmons, Eels or Congers taken by Foreigners, be Imported or expoſed to ſale, any perſon may ſeiſe them, the one half to be diſpoſed to the uſe of the Poor of the Pariſh where ſeiſed, the other to his own uſe.

IX. Cattel may be Imported from the *Iſle of Man*, not exceeding 600 Head yearly, and provided they be of the breed of that *Iſland*, and Landed at the Port of *Cheſter*, or Members thereof.

X. This Act to continue for ſeven years, and from thence to the end of the firſt Seſſion of the next Parliament.

XI. Stat. 20 *Car.* 2. *cap.* 7. Every Inhabitant in the Pariſhes and Places where Importation of Cattel, Beef, Pork, &c. contrary to 18 *Car.* 2. *cap.* 2. ſhall be, may ſeiſe and deliver the ſame to the Conſtable,

Conſtable, Tythingman, Headborough, Churchwardens, or Overſeers of the Poor, to be diſpoſed as in the ſaid Act is directed.

XII. Every Liberty, Pariſh or Place, and Inhabitants thereof, neglecting to make ſuch Seiſure, ſhall forfeit for every default 100 *l.* for the uſe of the Houſe of Correction within the County or Liberty where, *&c.* ſuch Moneys and other the Forfeitures accruing to the Poor by this and the former Act, ſhall be accounted for to ſuch perſons, and in ſuch manner as the Overſeers of the Poor are appointed to account by the Statute of 43 *Eliz. cap.* 2.

XIII. Every Veſſel in which any Cattel, Swine, Sheep, Beef, Pork or Bacon ſhall be Imported from beyond Sea, and out of which any of them ſhall be put on Shore, ſhall be forfeited; and any perſons within a year after ſuch Importation, may ſeiſe and keep her: one half of the price to be to the uſe of the Poor of the Pariſh where ſeiſed, the other half to him that ſhall ſeiſe: and any Juſtice of Peace of the County, or chief Officer of the Port-Town in or near the Place where ſuch Importation ſhall be, or where any of the ſaid Cattel, *&c.* ſhall be driven or brought, by Warrant under Hand and Seal, may cauſe to be apprehended the Maſters and Mariners of the Veſſel in which ſuch Importation ſhall be made, and others employed in Landing, driving or taking care of the ſame, and commit them to Gaol three months.

XIV. When through ony fraudulent Agreement or Connivance of any Conſtable, *&c.* or otherwiſe, any great Cattel, Sheep, Swine, *&c.* after the firſt ſeiſure of them, ſhall be found in any other Pariſh, the Conſtable, Tythingman, Headborough, *&c.* of ſuch other Pariſh, may ſeiſe and diſpoſe them as forfeited, one half to the Poor of that Pariſh, the other half to the Officer that ſhall ſeiſe the ſame.

XV. Suits for any thing done by vertue or colour of this or the former Act, ſhall be laid in the proper County, or the Defendant found Not-guilty, without regard to any Evidence for the Plaintiff.

XVI. In every ſuch Suit the Defendant may plead the General Iſſue; and if the Plaintiff or Proſecutor be Non-ſuit, or Diſcontinue, or a Verdict be againſt him, the Defendant ſhall have treble Coſts.

XVII. The like *Proviſo* for Importation of Cattel from the *Iſle of Man*, as in the former Act.

XVIII. Perſons that wilfully agree together to evade the Seiſures or Forfeitures in this Act ſpecified, and put the ſame in execution, being Proſecuted within a year after, ſhall incur the Penalty of 16 *Rich.* 2. of *Præmunire*.

XIX. Stat. 22 *Car.* 2 *cap.* 13. All perſons may Tranſport Beef, Pork, Bacon, Butter, Cheeſe and Candles, though they do exceed the Ports whence they are laden, the Prices ſet down in the Act of Tunnage and Poundage, made 12 *Car.* 2. paying the Rates appointed by the ſaid Act. *Vide Merchants* 89.

XX. Except that for the Cuſtom and Poundage of one Barrel of Butter

Butter there ſhall be paid 1 *s.* and for 100 weight of Cheeſe 4 *d.* and no more.

XXI. For every Ox or Steer Tranſported there ſhall be paid 1 *l.* and no more.

XXII. Any perſon may Tranſport Cows or Heifers, paying for each Cow or Heifer 1 *s.* and no more; and Swine or Hogs, paying for each 2 *d.* and no more.

XXIII. Any perſons may Tranſport Horſes or Mares into Parts beyond the Seas, in Amity with the King, paying for each 5 *s.* and for each Gelding 5 *s.* and no more.

XXIV. Stat. 22 & 23 *Car.* 2. *cap.* 19. One Act made 2 & 3 *Ed.* 6. Entituled, *An Act for Victuals and Handicrafts-men.* and one Act made 15 *Car.* 2. Entituled, *An Act to prevent the Buying and Selling of Live Fat Cattel by Butchers,* are hereby Revived and Continued, Except one Branch in the firſt mentioned Statute, ſince Repealed by a *Stat.* made 4 & 5 *Ed.* 6. and except ſuch things in either of them, as ſhall be Altered or Repealed hereby.

XXV. No Jobber, Saleſman, or other Broker or Factor, who Sell Cattel for others, ſhall be allowed or employed for Buying or Selling other Fat Cattel then Swine or Calves, within Eighty miles of *London* and *Weſtminſter*, on pain to forfeit the value of the Cattel ſo bought or ſold, to be paid by the Owner, and on this further pain, That the Jobber, *&c.* ſhall forfeit the value of all ſuch Cattel ſo bought or ſold, or expoſed to ſale.

XXVI. If any Butcher in *London* or *Weſtminſter*, or within ten miles thereof, buy Fat Cattel, and ſell them again alive or dead, to another Butcher, the ſeller ſhall forfeit the value of ſuch Cattel.

XXVII. No Drover ſhall be Licenſed by the Juſtices of Peace within *London* and *Weſtminſter*, or Eighty miles of the ſame.

XXVIII. Juſtices of Peace ſhall not Licence any to be Drovers, who exerciſe the Trade of Graſiers or Butchers; nor any other, but ſuch as ſhall become bound to the King with two Sureties of the ſame County, by recognizance in ſuch ſum as the Juſtices ſhall think fit, not to ſell any Cattel within ſixty miles of the place where they bought them.

XXIX. Where upon any proſecution on this or any other Act, queſtion ſhall ariſe concerning diſtance of time or place between the buying and ſelling the Cattel, the proof ſhall be incumbent on the party accuſed: And if the party accuſed plead that the Cattel were his own, it ſhall be incumbent on him to prove his property.

XXX. But if it ſhall appear to the Juſtices that ſuch proſecution was only for vexation, they may award the party proſecuted treble Coſts.

XXXI. Juſtices of Peace at their Quarter Seſſions ſhall hear and determine all Offences in buying or ſelling Cattel contrary to this Act, or any other in Force, by Inquiſition, Preſentment, Bill or Information,

Information, and make extracts of one moiety of the Forfeitures to be levied to the Kings uſe, and award execution of the other moiety to the Proſecutor, by *fieri fac.* or *cap.*

XXXII. The Juſtices ſhall proceed, any Writ, or Writs of *Certiorari* notwithſtanding.

XXXIII. If any Fat Cattel bought in *Smithfield*-Market, ſhall be brought again into the ſame Market to be ſold alive, they ſhall be ſeized by the Bailiff, Toll-keeper, or other Officer having overſight of the Market, to the uſe of the Mayor, Aldermen, *&c.*

XXXIV. For diſcovery whereof, all Cattel ſold ſhall be marked by cutting off two inches of the further horn.

XXXV. Forreiners as well as Freemen may buy and ſell any Cattel in the Markets of *Smithfield*, the Cuſtom of Forreign bought, and Forreign ſold, or other uſage notwithſtanding.

XXXVI. None ſhall be proſecuted upon this Act, but within ſix months after the offence committed.

XXXVII. This Act to continue for three years, and from thence to the end of the next Seſſion of Parliament, and no longer.

XXXVIII. If any perſon diſcover and compound for any Offence againſt this Act, he ſhall forfeit 20 *l.* to be recovered and diſpoſed as the Penalties and Forfeitures in this Act are Directed.

XXXIX. Stat. 1. *Jac.* 2. *cap.* 17. The Act next before-going continued from the 24th of *June.* 1685. for ſeven years, and from thence to the end of the next Seſſion of Parliament.

Provided that it ſhall not extend to Salemen, or Factors imployed by Farmers or Feeders.

Cambridge and Cambridgeſhire.

I. Stat. 34, 35 *H.* 24. An Act for the aſſurance of certain Lands to *John Hinde* (then Serjeant at Law) and his Heirs, paying yearly 10 *l.* toward the Charges and Wages of the Knights of the Parliament for *Cambridgeſhire* for ever.

II. Stat. 35 *H.* 8. 15. An Act for Paving the Streets in *Cambridge.* See theſe Statutes at large.

☞ Captains and Souldiers.

I. Stat. 5 *R.* 2. 10. The Covenants of ſuch as ſhall ſerve the King in his Wars or Embaſſies, ſhall be recorded in the Exchequer, as alſo the repeal of their Retinue, to the end a juſt Account may be thereupon had, if need be.

* II. Stat. 18 *H.* 6. 18. No Captain ſhall detain any part of his Souldiers Wages, in pain to forfeit to the King 20 *l.* for every Spear-man, and 10 *l.* for every Bow-man.

III. Howbeit, if they have been Waged half a year, the Captain may

may detain 10 *s.* for the Gown of a Gentleman, and 6 *s* 8 *d.* for that of a Yeoman.

* IV. Stat. 18 *H.* 6. 19. It is Felony for a Souldier (retained to serve the King in his Wars) not to go with, or to depart from his Captain without licence.

V. Officers shall arrest Souldiers, who within the term limited come on this side the Sea without Letters Testimonial of their Captain, and shall retain them until the cause of their return be tried.

VI. Justices of Peace have power to hear and determine those Offences. *Vide Co.* 6. 27.

VII. Stat. 7 *H.* 7. 1. A Captain which shall not have the whole number of his Souldiers, or not pay them their due Wages within six days after he shall have received them, shall forfeit all his Goods and Chattels, and suffer Imprisonment.

VIII. It is Felony for a Souldier retained, to depart from his Colours without licence, for which he shall not enjoy the benefit of his Clergy.

IX. Justices of Peace have power to enquire, hear and determine of this Offence of departing without licence; and the Trial thereof shall be in the same County where the Souldier is apprehended.

X. This Act shall not be prejudicial to Captains when Souldiers die, or otherwise depart without any default of theirs, so that they therewith acquaint (at Land) the Treasurer of the Wars within ten days after, or (at Sea) the Admiral at their next meeting with him. *But Quære whether this Statute survived Hen.* 7.

XI. Stat. 3 *H.* 8. 5. This Act is in all parts the same with 7 *H.* 7. 1. save only that it shall not extend to Captains and Souldiers in *Barwick*, *Wales*, *Calice*, or other Places in *France*, nor to Captains having under them Retinue of Souldiers, or for Non-payment of the Kings Wages to Captains, Houshold Servants. *Quære also whether this survived Hen.* 8.

XII. * Stat. 2 & 3 *E.* 6. 2. A Souldier that makes away his Horse or Arms (proof thereof being made before the chief Commander) shall suffer Imprisonment without Bail, until he hath satisfied the Party at whose charge he was sent out.

XIII. If such a Souldier escape from the Army without punishment, he shall be liable to the same, to be inflicted upon him by any Justice of Peace in those parts where he shall be apprehended, unless he bring sufficient Testimony from the Commander, that the Horse or Arms were otherwise lost, or employed in the Kings Service.

XIV. It is Felony (without benefit of Clergy) for a Souldier retained, to depart without licence of his Commander, whereupon Justices of Peace may proceed as in case of Felony.

XV. The Commissioner or Captain that licenseth any person retained, and assumeth another for gain, or which giveth to any licence to depart without Warrant from the Commander, shall forfeit 20 *l.* to the King for every person so let go.

XVI. The

XVI. The Lieutenant-general, or other Officer, that receives more Wages for Souldiers than there is cauſe, and doth not every month (by a Note in Writing) acquaint the Treaſurer of the Army with every Souldiers entry into Pay, death or departure, ſhall forfeit 5 *l.* to the King, ſuffer one months Impriſonment, and loſe his Place.

XVII. None but the Commander ſhall licence any, in pain of Impriſonment both of the Licenſer and Licenſed, at the diſcretion of the ſaid Commander.

XVIII. The Lieutenant-General ſhall command this Act to be proclaimed in the Army once every month, and every Governour in his Fortreſs once every three months.

XIX. Every perſon which ſhall inform the Lieutenant of any of theſe Offences, ſhall have a months Pay belonging to him that is faulty.

XX. This Act ſhall not prohibit Officers to retain yearly 6 *s.* 8 *d.* for the Coat of a Yeoman, and 12 *s.* 4 *d.* for the Coat of a Gentleman; neither ſhall it be prejudicial unto them, when the lack of Souldiers is not through their default, nor when they have under them a Retinue of Souldiers, or for non-payment of the Kings Wages to their Houſhold-Servants; neither ſhall it extend to prohibit relief of Tenants or Friends towards Service in War, or the detaining of Souldiers Wages upon lawful cauſes.

☞ XXI. Stat. 43 *El.* 3. The more part of the Juſtices of Peace yearly in their *Eaſter* Seſſions, have power to charge every Pariſh towards a weekly relief of maimed Souldiers and Mariners, ſo that no Pariſh pay weekly above 10 *d.* nor under 2 *d.* nor any County which conſiſts of above 50 Pariſhes pay above 6 *d.* one Pariſh with another: which Sums ſo Taxed ſhall be Aſſeſſed in every Pariſh by the Pariſhioners, or (in their default) by the Churchwardens and Conſtables, or in their default) by the next Juſtice or Juſtices of Peace.

XXII. The Conſtables and Churchwardens of every Pariſh have power to Levy the Tax of every perſon refuſing to pay it by Diſtreſs and Sale; and (in their default) the ſaid Juſtice or Juſtices next adjoyning.

XXIII The Tax being thus Levied, the Conſtables and Churchwardens ſhall deliver it Quarterly (ten days before every Quarter Seſſions) to the High-Conſtable of their Diviſion, who ſhall deliver it over to the Treaſurers of the County at the ſame Quarter Seſſions.

XXIV. The Treaſurers ſhall be Subſidy-men, *viz.* of 10 *l.* in Land, or 15 *l.* in Goods, and ſhall not continue in their Office above one year, rendring up their Accounts yearly at *Eaſter* Seſſions or within ten days after, to their Succeſſors.

XXV. The Officer, his Executors, *&c.* that fails in payment of the Sums Levied, ſhall forfeit, *viz.* the Churchwardens or Conſtables 20 *s.* and the High-Conſtables 40 *s.* which the Treaſurers have

power

power to Levy (by Diſtreſs and Sale) in augmentation of their Stock.

XXVI. The Treaſurer (or his Executor, &c.) that hath been negligent to execute his Office, or to render an Account within the time above limited, ſhall be fined by the Juſtices of Peace in the Seſſions, 5 *l.* at leaſt.

XXVII. The maimed Souldier or Mariner which was Preſt, ſhall repair (if he be able to travel) to the Treaſurers of the County where he was Preſt; if he were not Preſt, then to the Treaſurers of the County where he was born, or where he laſt dwelt by the ſpace of three years, at his election: but if he be not able to travel, then to the Treaſurers of the County where he Lands.

XXVIII. He ſhall bring to any of the Treaſurers aforeſaid a Certificate under the Hand and Seal of the chief Commander, or of the Captain under whom he ſerved, containing the particulars of his Hurts and Services: which Certificate ſhall be alſo allowed by the Muſter-Maſter, or the Receiver-General of the Muſter-Rolls, under one of their Hands.

XXIX. Upon ſuch a Certificate, the Treaſurers aforeſaid may allow him relief to maintain him until the next Quarter-Seſſions; at which the more part of the Juſtices may allow him a Penſion, which the Treaſurers ſhall pay him Quarterly, until it ſhall be revoked or altered by the ſaid Juſtices: And this Allowance to him that hath not born Offices ſhall not exceed 10 *l.* to an Officer under a Lieutenant 15 *l.* to a Lieutenant 20 *l.*

XXX. When Souldiers or Mariners arrive far from the Place where they are to receive Relief, the Treaſurers there ſhall give them Relief and Teſtimonial, whereby they may paſs from Treaſurer to Treaſurer, until they ſhall come to the Place required. And this ſhall be done upon the Certificate of the Commander and Captain, although they have not as yet obtained any Allowance thereof from the ſaid Muſter-Maſter or Receiver-General of the Muſter-Rolls.

XXXI. The Treaſurers ſhall Regiſter their Receipts and Diſburſements, and enter the Names of the Parties relieved, and alſo the Certificate by Warrant whereof the Diſburſements are made: the Muſter-Maſter alſo or Receiver aforeſaid ſhall Regiſter the Names of the Parties, and the Certificates by him allowed: and the Treaſurer returning, or not allowing the Muſter-Maſters Certificates, ſhall thereupon Subſcribe or Endorſe the cauſe of his not allowance.

XXXII. Juſtices of Peace in Seſſions have power to Fine a Treaſurer that wilfully refuſeth to give Relief, which any two of them (appointed by the reſt) may Levy by Diſtreſs and Sale of Goods.

XXXIII. A Souldier or Mariner that begs, or counterfeits a Certificate, ſhall ſuffer puniſhment as a common Rogue, and ſhall loſe his Penſion, if he have any.

XXXIV. The

XXXIV. The ſurpluſage of this Contribution ſhall be employed by the more part of the Juſtices in Seſſions upon charitable Uſes, according to the Statutes made for the relief of the Poor, and puniſhment of Rogues.

XXXV. In Corporations the Juſtices there ſhall put this Act in execution, and not the Juſtices of the County, and ſhall be liable to Fines as well as other Juſtices, if they miſuſe their power therein, and ſhall appoint a Collector of this Tax, which ſhall have the power, and be ſubject to the Penalties limited (by this Act) to High-Conſtables of the Counties.

XXXVI. The Forfeitures accruing by this Act, ſhall be employed as the ſurpluſage aboveſaid, or otherwiſe kept in augmentation of the Stock, as the more part of the Juſtices in Seſſions ſhall direct.

XXXVII. When out of the County where the Party was preſt a fit Penſion cannot be ſatisfied, it ſhall be ſupplied by the Counties where he was born, or where he laſt dwelt by the ſpace of three years.

XXXVIII. This Act ſhall not prohibit the City of *London* to make a Tax (if need require) differing from that above limited; ſo that no Pariſh pay above 3 *s.* weekly, nor above or under 12 *d.* weekly one Pariſh with another.

XXXIX. Stat. 12 *Car.* 2. *cap.* 16. All Officers and Souldiers who were under the Command of the Captain-General of the Kings Forces on the 25*th* of *April* 1660, and have not ſince deſerted the Service, or refuſed to take the Oaths of Supremacy and Allegiance, may exerciſe any Handicraft or Trade exerciſed about Manufactures in manner following; *viz.* Such as have been Apprentices may exerciſe ſuch Trades as they were bound to, though they Served not out their Time, with like Immunities as if they had: and all others, ſuch Trades as they are apt and able for, in the Towns and Places within the ſeveral Counties where they were born: and if Impleaded or Indicted for the ſame, they may plead the General Iſſue, and ſhall have double Coſts if a Verdict paſs againſt the Proſecutor, or if he be Non-ſuit or Diſcontinue. Judges and Jurors are to take notice of this Act.

XL. The Service aforeſaid muſt be proved by a Certificate under the Hand and Seal of ſome Field-Officer, and two Commiſſion-Officers of the Regiment where the party Served, or ſome general Officers of the Army, certifying his knowledge of ſuch Service, the ſaid Certificate to be proved by one Witneſs, or for default of ſuch Certificate, by the Oaths of two Witneſſes.

XLI. If any perſon produce a falſe Certificate, they ſhall ſuffer Impriſonment, not exceeding ſix months, and loſe the benefit of this Act.

XLII. Stat. 13 & 14. *Car.* 2. *cap.* 9. An Act for the Relief of poor and maimed Souldiers and Officers, who have faithfully ſerved his Majeſty and his Royal Father during the late Wars. *Expired.*

XLIII. Stat. 31 *Car.* 2. *cap.* 1. No Officer, Military or Civil, or

other perſon, ſhall Quarter or Billet any Souldier upon any Inhabitant of this Realm without his conſent, and every ſuch Inhabitant may refuſe to Quarter any Souldier, notwithſtanding any Order whatſoever.

Captives.

I. Stat. 16 & 17 *Car.* I. 24. An Act for the relief of them taken by *Turkiſh*, *Mooriſh*, and other Pirates, and to prevent the taking of other in time to come. *See the Statute at large.*

Caſtles and Fortreſſes.

I. Magna Charta, 19. No Conſtable of Caſtle, or his Bailiff, ſhall take Proviſion of a Stranger without ready Money; and one that dwelleth where the Caſtle is, ſhall be paid for it within fourty days.

II. Magna Charta, 20. A Knight ſhall be freed from Caſtlegard, doing the Service by himſelf or another, or being with the King in his Hoſt.

III. Weſt. 1. 7. 3 *E.* 1. No Conſtable or Caſtellane ſhall exact any thing of any but ſuch as reſide in their Town or Caſtle, unleſs it be an ancient price due to the King, Caſtle, or Lord of the Caſtle.

Certificate of the cauſe of Attainder, &c.

I. Stat. 34 & 35 *H.* 8. 14. The Clerks of the Crown, Aſſiſe and Peace, ſhall certifie unto the Kings Bench the tenor of every Indictment, Outlawry or Conviction, and Clerks Attaint, had before them reſpectively for any Felony or other Offence, and that within 40 days next after ſuch Attainder, Conviction or Outlawry, if it be Term-time; otherwiſe within 20 days after the beginning of the Term next following the 40 days: and ſhall alſo deliver a Tranſcript of the Indictment to the Ordinary to whom the perſon Attainted is committed; and all this in pain of 40 *s.* to the King and Proſecutor. *But note, that the Tranſcript to the Ordinary need not now, ſince the Statute of* 18 Eliz. 7. *which ſee after in* Clergy.

* II. The Clerk of the Crown ſhall receive ſuch Certificates, in pain of 40 *s.* for every one refuſed.

III. When the Indictment containeth more Names then are convict, a Tranſcript containing only the Names of ſuch as are convict ſhall ſerve.

IV. The Clerk of the Crown being ſent to by the Juſtices of Gaol-delivery or Peace for the Name of any perſon ſo convict and certified, ſhall without delay ſend a Certificate thereof in pain of 40 *s.*

V. No Certificates out of *Wales*, *Cheſter*, *Lancaſter*, *Dureſm.*

Ceſſabit.

Ceſſavit.

I. Glouceſter. *cap.* 4. 6 *E.* 1. If a Free-Farmer ceaſe to pay his Rent two years together, the Leſſor ſhall have a *Ceſſavit* againſt him, and Recover the Land, unleſs before judgment he pay the Arrearages, and give Security to pay duly for the future.

II. Weſt. 2. *cap.* 21. 13 *E.* 1. A *Ceſſavit* by the Chief Lord againſt his Free-hold-tenant that ceaſeth *per biennium.*

III. A *Ceſſavit* is maintainable by the Heir of the Demandant againſt the Heir or Aſſign of the Tenant.

Challenge.

I. Stat. *De Inquiſ.* 33 *E.* 1. If one challengeth a Juror for the King, he ſhall forthwith aſſign the Cauſe, which ſhall be preſently Tried by the diſcretion of the Juſtices.

II. If he alledge not a good Cauſe, or it go againſt him, the Inqueſt ſhall be forthwith taken.

III. Stat. 7 *H.* 7. 5. *Riens deins le Garde* ſhall not be admitted for Challenge in *London.*

IV. Stat. 33 *H.* 8. 23. Peremptory Challenge ſhall not be admitted in Caſes of High Treaſon, or miſpriſion of Treaſon.

V. Stat. 1 *E.* 6. 12. All Statutes made during the Reign of *H.* 8. touching Challenges and Forein Pleas are confirmed.

Champerty.

* I. Weſt. 1. 25. 3 *E.* 1. No Officer of the King ſhall maintain Plea of Lands or other things, to have part thereof, or other profit by Covenant between them made, in pain to be puniſhed at the Kings will.

II. Weſt. 2. 49. 13 *E.* 1. The Chancellor, Treaſurer, Juſtices, or any of the Kings Council, Clerks of Chancery, Exchequer, or of any Juſtice or other Officer, or any of the Kings Houſe, Clerk or Lay, ſhall not receive any Church or Advouſon Land or Tenement in Fee, by Gift, by Purchaſe to Farm, by Champerty or otherwiſe, ſo long as the ſame thing is in Plea, nor ſhall take any Reward thereof, in pain to be puniſhed at the Kings will, both Buyer and Seller.

III. Stat. 33. *Ed.* 1. *made at* Berwick. The Attainted of Champerty ſhall ſuffer three years Impriſonment, and be Finable at the Kings will: where you have alſo the Form of a Writ for remedy thereof to be iſſued out, by *Gilbert de Thornton.*

IV. Artic. ſuper Chart. 11. 28 *E.* 1. None ſhall take upon him a Buſineſs in Suit with an intent to have part of the thing Sued for, neither ſhall any upon any ſuch Covenant give up his Right to another; in pain that the Taker ſhall forfeit to the King ſo much of his Lands and Goods as do amount to the value of the part ſo purchaſed

for ſuch Maintenance, to be recovered by any that will Sue for the King in the Court where the Plea hangeth.

V. This ſhall not prohibit any to take Counſel at Law for the Fee, or of his Parents or Friends.

VI. Strat. 33 *E.* 1. *Anno Domini* 1304. Champertors are ſuch as move Pleas and Suits, or cauſe them to be moved, either by themſelves or others, and proſecute them at their own charge, to have part of the thing in variance, or part of the gains.

VII. Strat. 33 *E.* 1. *Anno Domini* 1305. None of our Court, of Pleaders, Attorneys, Stewards, Bailiffs, or any other, ſhall take any Plea or Suit to Champerty, or for Maintenance; in pain that they, together with the Conſenters thereunto, ſhall ſuffer three years Impriſonment, and be Fined at the Kings will. *See alſo there the Form of a Writ for the ſame purpoſe, and alſo againſt Conſpirators.*

Chancery, Maſters in Chancery.

I. Artic. ſuper Chart, 5. 28 *E.* 1. The Chancellor and the Juſtices of his Bench ſhall follow the King, to the end he may have always near him ſuch as be Learned in the Laws, to order matters that ſhall come to the Court.

II. Strat. 36 *E.* 3. 9. whoſoever findeth himſelf grieved with any Statute, ſhall have his remedy in the Chancery.

III. Strat. *Car.* 2. *not Printed.* The Office of the Maſters in Chancery being of very ancient Inſtitution and neceſſary Attendance for diſpatch of buſineſs in the Court, and it being thought more proper and ſafe for the Subject in general, that affidavits, Anſwers, Recogniſances, and Acknowledgments of Deeds ſhould be in ſome publick place than in private Studies and Houſes as formerly, and for the juſt encouragement of the ſaid Maſters, for their Attendance and ſupport in due diſcharge of their Places; Enacted, That one publick Office be kept, and no more, near the Rolls, in which the ſaid Maſters, ſome or one of them, ſhall conſtantly attend, for the Adminiſtring of Oaths, caption of Deeds, and Recogniſances, and diſpatch of all matters incident to their Office, (References upon Accounts, and inſufficient Anſwers only excepted) from 7 a clock in the Morning until 12 at Noon, and from 2 in the Afternoon until 6 at Night: and the ſaid Maſters may demand and take the Fees following, *viz.*

For every Affidavit or Oath taken in the ſaid Office, 12*d.*

For every Bill of Coſts to be Taxed by them for the Plaintiff not putting in his Bill, or not proceeding to reply, or for the Defendants not appearing in due time, 2 *s.* 6 *d.*

For the Acknowledgment of every Deed to be Enrolled, 2 *s.*

For the Caption of every Recogniſance, 2 *s.*

For every Exemplification examined by two of the ſaid Maſters to each of the ſaid Maſters who ſhall examine the ſame, for every Skin of Parchment ſo examined, 2 *s.*

For every Report or Certificate to be made in purſuance of any Order made upon hearing of the Cauſe, 20 *s.*

And

And for every other Certificate or Report of any other made upon Petition or Motion only, 10 s.

To be paid by the party that takes out the Report or Certificates.

And if any Maſter directly or indirectly receive any Money, Fee, Reward or Promiſe otherwiſe, or for any other matter in this Act than as aforeſaid, every ſuch Maſter, after legal conviction, to be diſabled from the execution of his Office, and forfeit to the party grieved ſo much Money as he ſhall take contrary to this Act, and moreover an 100 *l.* one moiety to the King, and the other to the party grieved that ſhall Sue for the ſame.

And ſeveral Tables of the ſaid Fees to be ſet up in the ſaid Office, and in the Chappel of the Rolls, that all parties may take notice thereof. *See* Clerks of the Chancery.

Chelſey.

I. Stat. 7 *Jac.* 1. 9. A Colledge ſhall be erected at *Chelſey*, and a Trench ſhall be made to convey Water from the River of *Lee* to *London* to maintain the ſame.

Cheſter and Cheſhire.

I. Stat. 1 *H.* 4. 18. If any Inhabitant of the County of *Cheſter* commit Murther or Felony in another County, Proceſs ſhall be made againſt him to the *Exigent* in the County where the Offence was done; and if he then flie into *Cheſhire*, the *Exigent* or Outlawry ſhall be certified to the Officers of *Cheſhire*, who ſhall thereupon take the Offender, and ſeiſe his Lands and Tenements, and Goods and Chattels, for the Princes uſe: the King ſhall alſo have his year, day and waſte; likewiſe his Lands and Goods in other Counties ſhall remain forfeit to the King, and other Lords having thereof Franchiſe. The like Proceſs and Proceedings ſhall be alſo had againſt the Offender in Battery or Treſpaſs ſo committed, and his Goods and Chattels ſhall be forfeited to the King, Prince, or Lords reſpectively, as aforeſaid.

☞ II. Stat. 27 *H.* 8. 5. Juſtices of the Peace, *Quorum* and Gaol-delivery, are to be nominated and made in *Cheſter* and *Wales* by the Lord Chancellor, or Keeper of the Great Seal of *England*, in like manner as within the Realm of *England*: which Juſtices ſhall certifie their Extracts, and the ſeveral Sheriffs make their Accounts, as in the ſaid Statute is directed.

III. The Juſtices and Clerks of the Peace ſhall have like Fees as in *England*, and inferiour Officers ſhall be attendant to the Juſtices.

☞ IV. Stat. 32 *H.* 8. 43. Seſſions ſhall be kept by the Juſtices for the time being in the County of *Cheſter* twice in the year only, *viz.* at *Michaelmas* and *Eaſter* Seſſions; and the old Order of keeping the County days ſhall ceaſe.

V. Stat. 33 *H.* 8. 13. The Sheriff of the County of *Cheſter* ſhall keep his County Court monthly in the Shire-Hall of the ſaid County,

VI. The Juſtice or his Deputy may keep their two Seſſions at what time of the year they pleaſe, ſo they cauſe them to be proclaimed 15 days before.

VII. Stat. 34 *H.* 8. 13. The County of *Cheſter* ſhall have two Knights, and the City of *Cheſter* two Burgeſſes for the Parliament.

VIII. No Writ of Courſe in the nature of a Protection ſhall be granted in the County Palatine of *Cheſter*.

IX. Stat. 2 & 3 *E.* 6. 31. All Recogniſances of Statute-Merchant, *&c.* acknowledged before the Mayor of *Cheſter*, ſhall be good in Law.

X. Stat. 43 *Eliz.* 15. Fines may be Levied before the Mayor of the City of *Cheſter* for Lands lying there.

XI. A *Dedimus Poteſtatem* may be granted by the Mayor of *Cheſter* to take the Acknowledgment of a Fine.

XII. Howbeit Fines taken before the Mayor, may (upon errour) be reverſed before the High-Juſtice of the County Palatine of *Cheſter*.

Chirographers.

I. Stat. 2 *H.* 4. 8. The Chirographer or his Deputy ſhall take but 4*s.* for a Fine, in pain to forfeit his Office, be judged before the Court, ſuffer a years Impriſonment, and pay treble Damages to the party grieved, to be recovered before the Juſtices of the ſame Court.

Church-yard.

I. Stat. *Ne rectores proſternant arbores in cœmeterio*, 35 *E.* 1. Parſons of Churches ſhall not cut down Trees growing in the Church-yards, unleſs for the neceſſary Repair of the Chancel, or (in Charity) of the body of the Church.

See Title Fighting and Quarrelling. *And ſee* Arreſts, *n.* 1, 2, 3.

Citation.

I. Weſt. 2. 43. 13 *E.* 2. Hoſpitallers and Templars ſhall draw none into Suit before the Keepers of their Priviledges; neither ſhall their Keepers cite any, to the prejudice of the King or Crown.

* II. Stat. 23 *H.* 8. 9. None ſhall be cited to appear out of the Dioceſs or peculiar Juriſdiction where he or ſhe dwelleth, except by ſome Eccleſiaſtical or other perſon within the Dioceſs or other Juriſdiction whereunto he is ſo cited, for ſome Offence or Cauſe committed, contrary to Right or Duty, or upon an Appeal or other lawful Cauſe, or when the Judge dares not, nor will not cauſe him to be cited, nor is any way party to the Suit, or at the

inſtance

inſtance of the inferiour Judge to the ſuperiour, where the Law Civil or Canon doth allow it, and all this in pain to forfeit double Damages to the party grieved, and 10 *l.* to the King, to be divided betwixt him and the Proſecutor.

III. The Archbiſhop may cite for Hereſie in any Dioceſs within his Province, upon conſent or neglect of the Biſhop or Judge there.

IV. This Act ſhall not reſtrain the Juriſdiction of the Prerogative Court for Probate of Teſtaments.

V. The Eccleſiaſtical Judge ſhall take but 3 *d.* for a Citation, upon the pains aforeſaid.

Clap-board.

I. Stat. 35 *Eliz.* 11. For every ſix Tun of Beer Exported, the ſame Caſk, or as good, or 200 of Clap-board fit to make Caſk, ſhall be Imported, or (if they be Tranſported into *Ireland*) 200 of a Shaffold-board; which Clap-board or Shaffold-board by a Stranger ſhall be left here before the Beer be Exported, but by a Subject ſhall be left here, or provided within four months after.

II. The Clap-board ſhall contain 3 Foot 2 Inches (at leaſt) in length, and the Caſk ſhall be Entred at the Cuſtom-houſe.

III. The ſame Law for Strangers that Tranſport Fiſh in Cask, and the Penalty of breaking the Laws is the forfeiture of their Beer, Fiſh and Cask.

IV. None ſhall Tranſport any Wine-Cask with Beer or Beer-eager, or Wine-Cask ſhaken, except for Victualling of a Ship or other Veſſel, or ſome of her Majeſties Garriſons beyond Sea, in pain to forfeit 40 *s.* for every Tun of Cask ſo Tranſported.

V. This Act ſhall not prohibit the Tranſportation of Herrings in Cask.

☞ Clergy.

I. Weſt. 1, 2. 3 *E.* 1. A Clerk convict for Felony, and delivered to the Ordinary, ſhall not be enlarged without due purgation.

II. Stat. *De Bigamis* 5. 4 *E.* 1. *Bigamus* ſhall not be allowed Clergy.

III. Artic. Cleri 15. 9 *E.* 2. A Clerk flying into the Church for Felony ſhall not be compelled to abjure.

IV. Artic. Cleri 16. 9 *E.* 2. The priviledge of the Church being demanded by the Ordinary, ſhall not be denied to a Clerk that hath confeſſed Felony, who is called an Appealor or Approver.

V. Stat. 18 *E.* 3. *pro Clero*, 2. Bigamy ſhall not be Tried by Inqueſt, but by Certificate from the Ordinary, until which time the party ſhall remain in Priſon, unleſs Bailable.

VI. Stat. 25 *E.* 3. *pro Clero*, 4. Every Clerk convicted of any

Treaſon or Felony (not touching the King himſelf) ſhall be deliv-ered to the Ordinary.

VII. Stat. 25 *E.* 3. *pro Clero*, 5. A Clerk ſhall be arraigned of all his Offences at once.

VIII. Stat. 4 *H.* 4. 2. The words *Inſidiatores viarum & depopulatores agrorum*, ſhall not be put in Indictments or Appeals.

IX. Clerks ſhall be allowed their Clergy, notwithſtanding an Indictment hath the words aforeſaid inſerted in it.

X. Stat. 4 *H.* 4. 3. A Clerk convict ſhall make purgation according to a Conſtitution made by *Simon* Archbiſhop of *Canterbury*.

XI. Stat. 4 *H.* 7. 13. The benefit of Clergy ſhall be allowed but once.

XII. A convict perſon ſhall be marked openly before the Judge upon the Brawn of his left Thumb, *viz.* with an *M* for Murther, and with a *T* for another Felony.

XIII. He that is within Orders, upon asking of his Clergy, ſhall ſhew his Orders, or his Ordinaries Certificate.

XIV. Stat. 12 *H.* 7. 7. No Lay-perſon that doth murther his Lord or Maſter ſhall have his Clergy.

XV. Stat. 23 *H.* 8. 1. None (except Clerks within Orders) which by the Law ſhall be found guilty of petty Treaſon, Murther, Sacriledge, Burglary, Robbery, or Houſe-breaking, nor their acceſſaries, ſhall be admitted to the benefit of Clergy.

XVI. A Clerk within Orders, being Principal or Acceſſary to any of the Offences aboveſaid, ſhall not be admitted to his purgation, nor be enlarged by the Ordinary, until he ſhall have bound himſelf with two good Sureties before two Juſtices (1 *Quorum*) to be of good behaviour.

XVII. This Act ſhall give no benefit to any perſons which after Outlawry or Attainder for Felony or Murther are admitted to their Clergy, but that ſuch ſhall ſtill remain in the cuſtody of the Ordinary without making purgation.

XVIII. The Ordinary may degrade a convict perſon, and ſend him to the Kings Bench, where the Juſtices ſhall have power to give Judgment upon him, according to which he ſhall be executed.

XIX. Stat. 23 *H.* 8. 11. A convict perſon within Orders ſhall be delivered to the Ordinary, there to remain without any purgation: yet may the Ordinary (in that caſe) degrade him, and ſend him to the Kings Bench, where the Juſtices may proceed againſt him as before.

XX. Stat. 25 *H.* 8. 3. None ſhall have benefit of Clergy which being accuſed of any of the Offences mentioned in the 23 *H.* 8. 1. are found guilty and mute, challenge above twenty, or anſwer not directly; albeit the Offence were committed in another County than where they were Tried.

XXI. Stat. 26 *H.* 8. 12. A remedy where there be no Juſtices of Peace in that County in *Wales* where the Clerk convict doth remain in Priſon.

XXII. Stat.

XXII. Stat. 28 *H.* 8. 1. Such as be within holy Orders ſhall receive no other benefit of Clergy than others do. *Stat.* 22 *H.* 8. 3.

XXIII. Stat. 37 *H.* 8. 8. None Attainted for Horſe-ſtealing ſhall have the benefit of Clergy. *See* 2, 3 *E.* 6. 33.

XXIV. Stat. 1 *E.* 6. 12. All Felons ſhall have the benefit of Clergy, ſave only ſuch as ſhall be found guilty of Murther, Poiſoning, Burglary, Robbery, Horſe-ſtealing, or Sacriledge, or which upon their Arraignment of any of the ſame Offences confeſs the ſame, ſtand mute, or make no direct anſwer thereunto. *See alſo for* Horſe-ſtealing *the Statute of* 2, 3 *E.* 6. 33.

XXV. This Act ſhall not extend to Treaſon, petty Treaſon, or miſpriſion of Treaſon.

XXVI. A Peer of the Realm, for his firſt Offence of Felony, though he cannot read, ſhall be admitted to his purgation, as a Clerk convict.

XXVII. *Bigamus*, being a Felon, ſhall be admitted to his Clergy as well as any other.

XXVIII. Stat. 5, 6 *E.* 6. 9. Clergy ſhall not be admitted to a Burglar, although the Offence be committed without the notice of the Owner, Children or Servants, or any of them being within the Houſe or Precincts of the ſame: ſo it is alſo for Burglary committed in Booths or Tents.

XXIX. Stat. 5, 6 *E.* 6. 10. The Statute of 25 *H.* 8. 3. ſhall ſtand in force concerning the Trial of Offenders in another County than where the Offence was committed, notwithſtanding the Statute of 1 *E.* 6. 12. which ſeems to take away the force thereof; ſo that ſuch an Offender ſhall not have his Clergy, albeit the Trial happen to be in another County than where ſuch Offence was committed.

XXX. Stat. 4, 5 *P.* & *M.* 4. Acceſſaries (before the Fact) which are found guilty of petty Treaſon, Murther, Burglary, Robbery, or Houſe-burning, or which upon their Arraignment for theſe Offences ſtand mute, challenge above twenty, or anſwer not directly, ſhall not enjoy the benefit of Clergy.

XXXI. In this caſe Peers ſhall be Tried by their Peers.

XXXII. Stat. 8 *Eliz.* 4. None that taketh any thing privily or felonioufly from the perſon of another, or upon his Arraignment ſhall confeſs the ſame, nor anſwer directly, ſtand mute, challenge above twenty, or be Outlawed for it, ſhall have the benefit of his Clergy.

XXXIII. One delivered to the Ordinary, and admitted to his Clergy ſhall (notwithſtanding his purgation) anſwer for Offences formerly committed.

XXXIV. Stat. 18 *Eliz.* 7. None ſhall have Clergy that committeth Rape or Burglary.

XXXV. An Offender admitted to his Clergy, after burning in the Hand, ſhall not be delivered to the Ordinary, as hath been uſed, but ſhall thereupon be enlarged by the Juſtices before whom ſuch

Clergy

Clergy ſhall be granted, or by them detained longer in Priſon at their diſcretion, ſo it be not for longer time than one whole year.

XXXVI. To know a Woman carnally under the age of ten years is Felony.

XXXVII. One admitted to his Clergy ſhall nevertheleſs anſwer for other Felonies.

XXXVIII. Stat. 39 *Eliz.* 9. He that taketh away a Woman againſt her will (having Lands or Goods, or being Heir apparent to her Anceſtor) contrary to the Statute of 3 *H.* 7. 2. or being Arraigned for ſuch Offence, ſtands mute, anſwers not directly, or challengeth above twenty, ſhall not have the benefit of Clergy.

XXXIX. The ſame Law againſt Procurors and Acceſſaries before ſuch Offences committed.

XL. Stat. 39 *Eliz.* 15. Clergy ſhall not be allowed to any that Feloniouſly takes away any thing in the day-time amounting to the value of 5 *s.* out of any dwelling-houſe, or out-houſe, albeit no perſon be within or near the ſame.

XLI. Stat. 1. *Jac.* 1. 8. He that ſtabs or thruſts any perſon not having a Weapon drawn, or not ſtriking firſt, ſo that he dies thereof within ſix months after, although it be not of malice or fore-thought, ſhall not enjoy the benefit of Clergy.

XLII. This Act ſhall not extend to charge any of ſtabbing or thruſting, when it is done only *ſe defendendo*, by misfortune, or in chaſtiſing his Child or Servant, with no purpoſe to commit Manſlaughter.

XLIII. Stat. 21. *Jac.* 1. 6. For Felony where the Man may have his Clergy, the Woman ſhall be burned in the Hand with an hot Iron.

XLIV. Stat. 22 *Car.* 2. *cap.* 5. No perſons who ſhall be Indicted for cutting and taking, ſtealing or carrying away Cloth or other Woollen Manufactures from the Rack or Tenter in the night-time: or for any Offence againſt the 31 *Eliz. cap.* 4. Or ſhall Feloniouſly ſteal or imbezzel any of the Kings Naval Stores to the value of 20 *s.* and be found guilty, or ſhall confeſs the ſame, or not anſwer according to Law, or ſtand mute, or challenge peremptorily above twenty, or be Outlawed, ſhall have their Clergy.

XLV. But the Court may grant a Reprieve, and cauſe ſuch Offender to be Tranſported to any of the Kings Plantations beyond Sea for ſeven years, there to be kept to labour: and if he refuſe to be Tranſported, or after Tranſportation return, in every ſuch caſe the perſons ſo returning ſhall be put to Execution upon the Judgment.

Clerks of the Chancery.

I. Stat. *De Sacramento Clericorum Cancellariæ*, 18 *E.* 3. The Form of the Oath of the Clerks of the Chancery.

II. Stat. 14 *H.* 8. 8. The ſix Clerks of the Chancery may marry Wives, and yet enjoy their Offices.

☞ Clerks

☞ Clerk of the Crown.

* I. Stat. 2 *H.* 4. 10. When divers perſons are joyntly Indicted, the Clerk of the Crown ſhall take but one Fee, *viz.* 2 *s.* for them all, and not ſeveral Fees for each perſon.

Clerk of the Market.

* I. Stat. 13 *R.* 2. 4. The Clerk of the Market of the Kings Houſe ſhall execute his Office duly, and all falſe Weights and Meaſures ſhall be burnt.

II. The ſaid Clerk ſhall take no common Fine, but every one ſhall be puniſhed according to their demerit.

III. He ſhall not ride with above ſix Horſes, and ſhall tarry no longer in a place then need requireth.

IV. If he offend againſt this Law, he ſhall pay to the King for the firſt time 5 *l.* for the ſecond 10 *l.* for the third 20 *l.*

* V. Stat. 16 *Car.* 1. 19. There ſhall be one Weight and one Meaſure, according to the Standard of the Exchequer, throughout the Realm, and every Meaſure of Corn ſhall be ſtriked without heap.

VI. Whoſoever ſhall ſell, buy or keep any other Weight or Meaſure whereby any thing is bought or ſold, after ſix months after this Seſſion of Parliament, ſhall forfeit for every ſuch Offence 5 *s.* being thereof lawfully convicted by the Oath of one Witneſs before a Juſtice of Peace, Mayor or other Head-Officer, (in their ſeveral Precincts reſpectively) who ſhall have power to Adminiſter an Oath in that behalf; which ſaid Forfeiture ſhall be Levied by the Churchwardens and Overſeers of the Poor (or one of them) where the Offence ſhall be committed, to the uſe of the Poor there, by Diſtreſs and Sale of Goods, rendring the overplus to the party offending: and in default of Diſtreſs, the Juſtice, Mayor or Head-Officer may commit the Offendor to Priſon, until he ſhall pay the Sum forfeited.

VII. The Clerk of the Market of the Kings or Princes Houſhold and his Deputies, ſhall only execute their Offices within the Verge, and not elſewhere: and Head-Officers of Corporations, and Lords of Liberties, and their Deputies, may execute theirs in their ſeveral Precincts, as they might have done before this Act was made.

VIII. If any of the Officers aforeſaid ſhall Seal any Weight or Meaſure which is not agreeable to the ſaid Standard, or ſhall refuſe to Seal ſuch as are agreeable thereunto, (the party paying only ſuch Fees for the allowance thereof as are warranted by Statute, or ſome ancient Cuſtom) they and their Deputies (reſpectively) ſhall for every ſuch Offence forfeit 5 *l.* to be Levied as aforeſaid, to the uſe of the Poor where the Offence was committed.

IX. If they ſhall take any other Fine, Fee, Reward, or Sum of Money,

Money, than what are allowed by Statute, or ſome ſuch ancient Cuſtom, for the Signing or Examination of any Weights or Meaſures which have been formerly Marked or Sealed, or ſhall impoſe any Fine or Amerciament without a legal Trial of the Offence, or ſhall otherwiſe miſdemean themſelves in the execution of their Office, and ſhall be thereof lawfully convict, they ſhall forfeit for the firſt Offence 5 *l.* for the ſecond 10 *l.* and for every other Offence 20 *l.* to be Levied as aforeſaid, to the uſe of the Poor where the Offence was committed.

X. He that is Fined or Amercied by this Act, ſhall not be again puniſhed for the ſame Offence by force of any former Law or Statute.

XI. This Act ſhall not extend to the Meaſure of Rent-corn, nor to Water-meaſure, nor to Colledges or Societies.

XII. If any Officer authorized to execute this Statute ſhall be Impleaded for any act he ſhall do therein, he ſhall plead the General Iſſue, *Not-guilty*, and yet give this Statute, or any other ſpecial matter, in Evidence: and if he be found *Not-guilty*, or the Plaintiff be Non-ſuited, he ſhall recover treble Coſts.

Vide plura Tit. Weights and Meaſures.

Clerks of Signet and Privy Seal.

I. Stat. 27 *H.* 8. 11. How and in what manner the Kings Grants, Writings and Leaſes ſhall paſs the Privy Signet, the Privy Seal, and the Great Seal; and in what time they ſhall paſs thoſe Seals; and the Forfeitures ſet upon the Clerks of the Privy Signet and Privy Seal, for not doing their Duty, and what Fees they ſhall take for thoſe Writings, and what Fees ſhall be paid to any perſon for the ſame; and how and where ſuch Writings ſhall come to the Great Seal, with an immediate Warrant, and not paſs the Signet or Privy Seal, and what Fees ſhall be then paid therefore; and how and under what Seals the Kings Leaſes, Grants and Writings of Lands or Offices of the County Palatine or Dutchy of *Lancaſter* ſhall paſs; and what Grants, Leaſes or Writings for the King may be made without his Warrant, and divers Articles at large concerning theſe matters: For theſe ſee the Statute it ſelf at large.

Coals.

I. Stat. 16 & 17 *Car.* 2. *cap.* 2. An Act for regulating the Meaſures and Prices of Coals. *Exp.*

Collectors.

I. Stat. 18 *H.* 6. 5. None appointed to be a Collector of a Fifteen in a City or Borough, ſhall be alſo Collector in the ſame County,

County, unleſs he may diſpend in the County out of ſuch City in Lands 5 *l. per annum*, above all Repriſes.

II. Stat. 13 & 14 *Car.* 2. *cap.* 17. Collectors and others Levying Money by vertue of any Act of Parliament now in force, and being Sued concerning the ſame, may plead the General Iſſue, and give the ſpecial matter in Evidence.

III. Stat. 20 *Car.* 2. *cap.* 2. All Receivers, Reeves, Bailiffs, Collectors and others, who having received Moneys due to his Majeſty, ſhall not pay the ſame before the 1*ſt* day of *July* 1668, ſhall from thenceforth anſwer and pay to his Majeſty Damages after the rate of 12 *l. per cent.* by the year, till the Principal be paid in.

IV. All perſons who having received any Moneys due to the King, ſhall not pay the ſame to whom they ought to be paid according to Law within two months after ſuch receit, ſhall from thenceforth pay 12 *l. per cent.* by the year, without abatement or inſtallment: for the Levying whereof the Proceſs of the Exchequer ſhall be forthwith awarded.

V. This Act ſhall not extend to Accounts of Sheriffs.

Commiſſion and Commiſſioners.

I. Stat. 42 *E.* 3. 4. Commiſſions of Inquiries ſhall be made to the Juſtices of the one Bench or the other, Juſtices of Aſſiſe, Juſtices of Peace, with others of the moſt worthy in the Countrey, ſave in the Office of the Eſcheatorſhip.

II. Stat. 4 *H.* 4. 9. If any be Diſtrained by Writ out of the Exchequer, for not returning a Commiſſion which never came to their hands, the Chancellor of *England* (calling to him ſome of the Juſtices, and the chief Baron, if need be) hath power to give remedy therein.

III. Stat. 7 *H.* 4. 11. Commiſſioners not receiving a Commiſſion, ſhall be diſcharged thereof upon Oath.

IV. The Barons of the Exchequer have power to Adminiſter the Oath, and to diſcharge them thereupon.

V. The Barons of the Exchequer, and the Juſtices of either Bench, have alſo power (by *Dedimus poteſtatem*) to receive ſuch Oaths in the Country; and the Juſtices ſhall make Certificate thereof into the Exchequer, and thereupon alſo the Barons ſhall diſcharge the Commiſſioners, their Heirs, Executors, and Land-Tenants.

VI. Such Oaths are not to be taken but in caſe of Commiſſions of *Oyer* and *Terminer*, and of Enquiring and Certifying only.

Common Pleas.

I. Magna Charta, 11. 9 *H.* 3. Common Pleas ſhall not follow the Court, but ſhall be holden in ſome place certain.

II. Artic. ſuper Chart. 4. 28 *E.* 1. Common Pleas ſhall not be holden in the Exchequer, contrary to the Form of the Great Charter.

Conditions.

I. Stat. 32 *H.* 8 34. Grantees of Reverſions may take advantage of Conditions and Covenants againſt Leſſees of the ſame Lands, as fully as the Leſſors, their Heirs or Succeſſors, might have done.

II. Leſſees may alſo have the like Remedy againſt the Grantees of Reverſions which they might have had againſt their Leſſors or Grantors, their Heirs or Succeſſors; all advantage of recoveries in value, by reaſon of any Warrant in Deed or Law by Voucher or otherwiſe, only excepted.

Confirmation.

I. Marlb. 5. 52 *H.* 3. The Great Charter, and that of the Foreſt, ſhall be duly obſerved and enquired of before the Juſtices in *Eyre*, and the Sheriffs in their Counties, and the Offenders ſhall be grievouſly puniſhed by the King.

II. Stat. 25 *E.* 1. *cap.* 1, 2, 3, & 4. The Great Charters are confirmed, Judgments given againſt them ſhall be void; they ſhall be read in all Cathedral Churches, and Excommunication ſhall be pronounced againſt the breakers of them.

III. Artic. ſuper Chart. 1. 28 *E.* 1. The Great Charter, and that alſo of the Foreſt, ſhall be duly obſerved.

IV. They ſhall be read four times in the year in a full County-Court, *viz.* at the Counties after *Michaelmas*, *Chriſtmas*, *Eaſter*, and St. *John Baptiſt*.

V. There ſhall be three Knights, or other ſubſtantial Men, choſen by the Commonalty in every County, to hear Plaints concerning the Charters, and to determine them without ſuch delay as is uſed at the Common Law; but they ſhall not in their proceeding prejudice the Common Law or the Charters.

VI. They ſhall have their power by the Kings Writ under the Great Seal, and the Sheriffs and Bailiffs ſhall be attendant upon them.

VII. Stat. 1 *E.* 3. 1. The Great Charter, and that of the Foreſt, ſhall be duly kept and put in execution. *See Ann.* 2, 4, 5, 10, 14, 28, 31, 36, 37, 42 & 45 *E.* 3. *cap.* 1. & 50 *E.* 3. *cap.* 2. & *Anno* 1. 2. Stat. 2. 5, 6. Stat. 1. *cap.* 1. 7. *cap.* 2. 8. & 12 *R.* 2. *cap.* 1. alſo *Anno* 1, 2, 4, 7, 9. & 13 *H.* 4. *cap.* 1. likewiſe *Anno* 4 *H.* 5. *cap.* 1.

VIII. Stat. 10 *E.* 3. 1. All Statutes not Repealed ſhall be kept and put in execution. *See alſo* 28, 36, 37, & 38 *E.* 3. *cap.* 1. & 1, 2. *Stat.* 2. 35. 6. *cap.* 1. 7. *cap.* 2. 8, 9. & 12 *R.* 2. *cap.* 1. & 15 *R.* 2. *cap.* 1. & 1, 2, 4, 7, 9, & 13. 4 *H.* 5. *cap.* 1.

IX. Stat. 42 *E.* 3. If any Statute be made contrary to *Magna Charta*, or *Charta de Foreſta*, it ſhall be void.

X. Stat. 1 *H.* 4. 4. The Parliament holden in *Anno* 11 *R.* 2. ſhall

ſhall be holden and kept according to the purport thereof, as a thing done to the great honour and common profit of the Realm.

XI. Stat. 1 *E.* 4. 1. An Act was made, whereby was confirmed all Judicial Acts, Exemplifications, Concords, Recoveries, Proceſs in Court, *&c.* made in the times of *H.* 4. *H.* 5. *&* *H.* 6. and all Grants and Letters Patents (of divers things mentioned in the ſaid Act) made by any of the ſaid three Kings. *See the Statute at large.*

XII. *The Confirmation of divers particular Statutes. See under their proper Titles.*

XIII. Stat. 12 *Car.* 2. *cap.* 12. No proceedings ſince the firſt of *May* 1642. had or depending in any Courts of Law or Equity, or by any acting in obedience to them, or by any the Courts of Admiralty, Delegates, Commiſſioners of Sewers, Bankrupts or Charitable Uſes, no Probates of Wills, nor Letters of Adminiſtration, ſhall be avoided for want of legal power in the ſaid Courts, Commiſſioners, *&c.* or by reaſon of any alteration of Stiles in which the Premiſſes were held, or for that they were in the *Engliſh* or *Latine* Tongue.

XIV. Fines ſince the death of the late King ſhall be good, notwithſtanding the not Entring, or not due Entring of any Sum *pro lic. Concordandi*, or to the party for the Concord; and Fines Levied in *Michaelmas* Term laſt paſt, before one Judge only in the Court of Common-Pleas, ſhall be good notwithſtanding.

XV. All Judicial Proceedings in the Court of Common-Pleas ſince the late Kings death, concerning Lands in the County Palatine of *Durham*, ſhall be good, notwithſtanding the Lands were lying there.

XVI. Proceedings in the High Court of Juſtice, not confirmed by this Act.

XVII. All Indictments of Treaſon, and Proceedings thereupon, for adhering to both Houſes of Parliament, or to the late King ſince the 1*ſt* of *May* 1641, and before the 25*th* of *April* 1660, and all Grants of Lands and Hereditaments, Eſcheated or Forfeited thereby, and all Titles to any Mean Profits by reaſon thereof, are from henceforth diſcharged, and all Forfeitures by reaſon thereof, reſtored.

XVIII. Sales made by Ordinance of Parliament ſince the 1*ſt* of *May* 1642. ſhall be as though this Act had not been made.

XIX. All Securities given to any pretended power, and all Proceedings thereupon not diſcharged by this or ſome other Act of this Parliament, or otherwiſe, ſhall be proſecuted in the Name, and to the Uſe of his Majeſty; other than Securities given by any perſons by reaſon of their adherence to the King or his Father, or ariſing only in reſpect of the late Troubles, or entred into by Order of any Council of State, Committee of Safety, Major General, Decimators, or any under them, or any other Military Power, all which are declared void.

XX. Non-claim upon Fines made good by this Act, ſhall not prejudice any right to Lands ſold by Ordinance of both or either Houſes

Houſes of Parliament (other than of the parties, their Heir and Truſtees) as then or late the Lands or Hereditaments of the King, Queen, or Prince, or Eccleſiaſtical perſons, or any perſons for their acting in reſpect of the late Troubles: ſo as the ſaid Right be purſued within five years after the *29th* of *May* 1660.

XXI. All Indictments of High Treaſon, and Proceedings thereon, for Levying War againſt any uſurped Power, ſhall be void, and all Aſſurances, Statutes and Judgments made or ſuffered by any whoſe Attainder is hereby diſcharged, ſhall be as if no ſuch Attainder had been. Confirmed 13 *Car.* 2. *cap.*

☞ Conjuration, Enchantment, and Witchcraft.

* I. Stat. 1 *Jac.* 1. 12. If any ſhall be convicted to have uſed Invocation or Conjuration of any evil Spirit, or to have conſulted, covenanted with, entertained, employed, fed or rewarded any ſuch Spirit, or taken up any dead perſon, or the ſkin, bone, or other part thereof, to have uſed in Witchcraft, Sorcery, Charm, or Inchantment, or to have uſed any of the ſaid Arts to kill, conſume, and lame any perſon, they, together with their Acceſſaries before the Fact, ſhall ſuffer as Felons, without benefit of Clergy.

II. If any ſhall be convicted to have by Witchcraft, Sorcery, Charm or Inchantment, undertaken to tell where any Treaſure or Goods loſt or ſtoln may be found or are become, or to provoke any to unlawful Love, or to deſtroy or hurt any Cattel, Goods or Perſon, albeit the ſame be not effected; they ſhall for the firſt Offence ſuffer one years Impriſonment without Bail, once every Quarter of that Year ſtand ſix hours upon the Pillory in ſome open Fair or Market, and there make open confeſſion of the Offence committed; and for the ſecond Offence, ſhall ſuffer as Felons, without benefit of Clergy.

III But in theſe Caſes ſhall be no loſs of Dower, or Diſheriſon of Heir. And a Peer (being an Offender) ſhall be Tried by his Peers.

Conſpiracy.

I. Artic. ſuper Chart. 10. 28 *E.* 1. Againſt Conſpirators, falſe Informers, and imbracers of Inqueſts, the King hath provided a Writ in the Chancery, and the Juſtices of either Bench and Juſtices of Aſſiſe ſhall upon every Plaint thereof award Inqueſts thereupon without Writ.

II. Stat. 33 *E.* 1. Conſpirators are ſuch as bind themſelves by Oath or other Alliance falſly and maliciouſly to inflict, and falſly to move and maintain Pleas, and ſuch as cauſe Children within age to appeal Men of Felony, and retain Men to maintain their malicious Enterprizes; and this extendeth as well to the Takers as Givers; and

and alſo Stewards and Bailiffs, who by their power maintain Debates that concern not their Lords, but other parties.

III. Stat. 7 *H.* 5. Whereas divers have been Indicted for Treaſons and Felonies ſuppoſed to be committed in Places, there being none ſuch to be found: every Juſtice having power to hear and determine ſuch Offences by the Oath of Twelve Men, (whereof each ſhall have Free-hold within the County of the yearly value of 5 *l.* beſides all Repriſes) ſhall before *Exigent* enquire of Office, whether there be (indeed) any ſuch Place or no: And if there be no ſuch Place or Places in the County where no ſuch Appeals or Indictments are made, they and the Proceſs thereupon ſhall be void, and the Indicters ſhall be puniſhed by Impriſonment, Fine and Ramſon, at the diſcretion of the ſaid Juſtices: and if any *Exigent* be awarded before Inquiſition, it ſhall be alſo void. This Act to continue in force until the next Parliament.

IV. Stat. 9 *H.* 5. 1. The Statute of 7 *H.* 5. ſhall continue in force until the next Parliament after the Kings return from beyond Sea.

V. Stat. 18 *H.* 6. 12. The Statute of 9 *H.* 5. 1. made perpetual, becauſe (*H.* 5. dying beyond Sea) ſome were of opinion it was expired.

Conſtable and Marſhal.

I. Stat. 8 *R.* 2. 5. The Conſtable and Marſhal ſhall not have Conuſance of Pleas or Suits which ought to be diſcuſſed at the Common Law.

II. Stat. 13 *R.* 2. *Stat.* 1. 2. The Conſtable of *England* hath cogniſance of things concerning Arms and Wars, which cannot be diſcuſſed by the Common Law.

III. In this Court the Plaintiff ſhall plainly declare his matter in his Petition before the Defendant be ſent for.

IV. When a Plea is commenced before the Conſtable and Marſhal which may be Tried at the Common Law, the party grieved ſhall have a Privy Seal to cauſe the Conſtable and Marſhal to ceaſe, until it may be decided by the Kings Council whether it may be Tried there or at the Common Law.

Contra Formam Collationis.

I. Weſt. 2. 41. 13 *E.* 1. If Lands given to Abbies, Priories, Hoſpitals, or other Religious Houſes, or to maintain a Chauntry, a Light, or Alms, be alienated, the King ſhall ſeiſe it, and the Purchaſer ſhall loſe both the Land and his Money.

II. If the Houſe were founded by a Subject, he ſhall recover the Land by a Writ; which ſee in the Statute at large.

III. If it were given to maintain a Chauntry, a Light, or Alms, and not alienated, but the Duty withdrawn two years together, the Donor or his Heir ſhall recover it by *Ceſſavit*.

Conventicles.

I. Stat. 16 *Car.* 2. *cap.* 4. An Act to prevent and ſuppreſs Seditious Conventicles. *Expired.*

II. Stat. 22 *Car.* 2. *cap.* 1. If any of the age of 16 years or upwards, being a Subject of this Realm, ſhall be preſent at any Conventicle under pretence of any Exerciſe of Religion, in other manner than according to the Church of *England*, at which there ſhall be five or more beſides thoſe of the Houſhold, where there is one, any Juſtice of Peace or chief Magiſtrate of the Place, on proof by Confeſſion, Oath of two Witneſſes, or notorious Evidence of the Fact, may make a Record of ſuch Offence, which Record ſhall be a Conviction, and ſet a Fine of 5 *s.* for the firſt Offence, which Record ſhall be certified at the next Quarter Seſſions, and for the ſecond 10 *s.* to be Levied by Diſtreſs and Sale of the Offenders Goods, or, in caſe of poverty, on the Goods of others then convicted of the like Offence at the ſame Conventicle, ſo as the Sum Levied on any one amount not to above 10 *l.* on occaſion of any one Meeting.

III. Conſtables, Headboroughs, Tything men, Churchwardens and Overſeers of the Poor, ſhall Levy the ſame by Warrant of the ſaid Juſtice, or chief Magiſtrate, *&c.* the Money to be delivered to the ſaid Juſtice, or, *&c.* one third for the Kings uſe, which the Juſtices ſhall pay into the Quarter Seſſions, which Court ſhall deliver it to the Sheriff, and make a Record of ſuch payment and delivery, which ſhall diſcharge the Juſtices, and charge the Sheriff, both which ſhall be certified into the Exchequer; another third to the Poor of the Pariſh where the Offence is committed, the other third to the Informer, and ſuch as the Juſtices ſhall appoint, having regard to their induſtry in diſcovering and diſperſing ſuch Conventicles.

IV. Every perſon convicted as aforeſaid of Preaching at any ſuch Meeting, ſhall forfeit for the firſt Offence 20 *l.* and if it be a Stranger, and his Name and Habitation not known, or he cannot be found, or be unable to pay, the Juſtice, or, *&c.* may Levy it upon any perſons that were preſent: and for the ſecond Offence 40 *l.* to be Levied and diſpoſed *ut ſupra.*

V. Every perſon convicted as aforeſaid, of wittingly ſuffering any ſuch Meeting to be held in his Houſe, Yard, *&c.* ſhall forfeit 20 *l.* to be Levied as aforeſaid, and in caſe of his poverty, upon perſons convicted of being preſent at the ſame, to be diſpoſed as aforeſaid.

VI. No perſon ſhall be liable to pay above 10 *l.* for any one Meeting in regard of the poverty of others.

VII. Where the Sum charged upon any Offender exceeds 10 *l.* he may within a week appeal in Writing to the Quarter Seſſions, to whom the Juſtice or chief Magiſtrate, *&c.* ſhall return the Money Levied, and certifie under Hand and Seal the Evidence, with the whole Record and the ſaid Appeal, whereupon ſuch Offender may plead, and have his Trial by a Jury, and if he proſecute not with effect, or be not acquitted, or Judgment paſs not for him, he ſhall pay

treble

treble Coſts; and ſuch cauſes of Appeal ſhall be finally determined in the Quarter Seſſions.

VIII. Upon delivery of ſuch Appeal, the Appealant ſhall enter into a Recogniſance to proſecute with effect, which the perſon convicting ſhall certifie to the Quarter Seſſions, for want of which Recogniſance the Appeal ſhall be void.

IX. Every ſuch Appeals ſhall be left with the perſons convicting, at the time of the making thereof.

X. The Juſtices of Peace and chief Magiſtrate, *&c.* or the Conſtables, Headboroughs, *&c.* by Warrant from them may with what aſſiſtance they think fit, break and enter any Houſe where they ſhall be informed any ſuch Conventicle is, within Liberties and without, and take into cuſtody the perſons ſo Aſſembled: and the Lieutenants, Deputy-Lieutenants, or any Commiſſionated Officer of the Militia, or other the Kings Forces, with Horſe and Foot, and the Sheriffs and other Miniſters of Juſtice, with ſuch aſſiſtance as they think meet, or Certificate under Hand and Seal of any Juſtice of Peace or chief Magiſtrate, of ſuch Meeting, that he is not able to ſuppreſs, may diſſolve ſuch Meetings, and take into cuſtody ſuch perſons as they think meet.

XI. No Dwelling-houſe of a Peer, where he or his Wife ſhall be reſident, ſhall be ſearched but by a Warrant under the Sign Manual, or in the preſence of the Lieutenant, or one Deputy-Lieutenant, or two Juſtices of Peace, whereof one to be of the *Quorum*.

XII. If any Conſtable, Headborough, *&c.* knowing or being informed of ſuch Meetings within his Precinct, ſhall not inform a Juſtice of Peace or chief Magiſtrate, *&c.* but they or others called in their aid ſhall wilfully omit their Duty, and be convicted thereof as aforeſaid, they ſhall forfeit 5 *l.* to be diſpoſed as aforeſaid. And Juſtices of Peace, and chief Magiſtrate, *&c.* omitting their Duty ſhall forfeit 100 *l.* one moiety whereof to the Informer, to be recovered in any of the Kings Courts at *Weſtminſter*.

XIII. Perſons Sued for not putting this Act in execution (otherwiſe than upon Appeal) may plead the General Iſſue, and if the Plaintiff be Nonſuit, or a Verdict paſs for the Defendant, or the Plaintiff Diſcontinue, or upon a Demurrer Judgment be for the Defendant, the Defendant ſhall have treble Coſts.

XIV. This Act ſhall be conſtrued largely for ſuppreſſion of Conventicles, and encouragement of perſons employed in the execution of it; and no Proceedings upon this Act ſhall be impeached for default of form: and if any offending againſt this Act ſhall be an Inhabitant in, or flie to any other County or Corporation after ſuch Offence committed, the Juſtice of Peace or chief Magiſtrate before whom he ſhall be convicted, ſhall certifie it to any Juſtice of Peace or chief Magiſtrate of ſuch other County or Corporation, who ſhall Levy the Penalties aforeſaid.

XV. None ſhall be puniſhed for any Offence againſt this Act, unleſs they be proſecuted within three months after ſuch Offence, nor

having been puniſhed by vertue of this Act, ſhall be puniſhed for the ſame Offence upon any other Law.

XVI. Aldermen of *London* ſhall have the ſame Authority for convicting and puniſhing Offences againſt this Act in *London* and the Liberties thereof, which any Juſtice of Peace hath in any County of *England*, and under the like Penalties.

XVII. The Penalties of Feme-coverts cohabiting with their Huſbands, ſhall be Levied on their Huſbands Goods.

XVIII. No Peer of the Realm ſhall be Attached or Impriſoned by vertue of this Act.

XIX. The Kings Supremacy in Eccleſiaſtical Affairs ſaved.

Conuſance.

I. Stat. 9 *H.* 4. 5. Where in Aſſiſes and Pleas of Land or Rent within Franchiſes and ancient Demeſne againſt certain perſons the Names of the Mayors, Bailiffs or Commonalties in Franchiſes, and of the Lords or Bailiffs in ancient Demeſne, are therein alſo by Colluſion inſerted, ſuppoſing them alſo to be Diſſeiſors, or Tenants of the Land, and with purpoſe to exclude them from the Conuſance of the matter in Plea, which by reaſon of their Franchiſes and Liberties ought to be diſcuſſed before them; in ſuch Aſſiſes and Writs the Juſtices ſhall (upon requeſt) firſt enquire by the ſame Aſſize, whether they be (indeed) Diſſeiſors or Tenants, or whether their Names be inſerted by fraud, as aforeſaid.

II. If it ſhall be found by fraud, the Aſſiſes or Writs ſhall abate, and the Plaintiff ſhall be grievouſly amercied, notwithſtanding there be others named therein who are in truth Diſſeiſors or Tenants.

III. Stat. 8 *H.* 6. 26. In Aſſiſes or perſonal Actions, if the Defendant make default by Colluſion, with purpoſe that Mayors, Bailiffs, or other Commonalties, or Lords and Bailiffs, ſhould loſe their Juriſdictions, the Juſtices ſhall (upon requeſt) enquire thereof by Aſſiſes or Inqueſts, where both the Plaintiffs and the owners of ſuch Franchiſes and Liberties may have their Challenges. And if Colluſion be found, the Writs ſhall abate, and the Plaintiff ſhall be amercied.

Copyholds.

I. Stat. 7 *Jac.* 21. Compoſitions made by Decrees in the Exchequer and Dutchy Chambers, with the Kings Copyhold-Tenants concerning their Copyholds, within three years from the firſt day of this Parliament, are confirmed, ſaving the right of others.

☞ Cordwainers, Curriers, Tanners, and Leather.

* I. Stat. 27 *H.* 8. 14. None ſhall pack any Leather to be Tranſported but by a Packer ſworn, in pain to forfeit the Leather, or the value thereof: And every Stranger ſhall pay for the Cuſtom of a Dicker of Leather 4 *s.* 9 *d.* and a Denizen 4 *s.* 1 *d.*

II. The Controllers ſhall name and appoint a Toller in every Port where none are, and ſhall alſo give him his Oath for the due execution of his Office in the preſence of the Cuſtomer and Controller, or his or their Deputy or Deputies.

III. The Fee for Tolling Leather is for every Dicker, of a Stranger, 6 *d.* whereof the Toller is to have 2 *d.* and the Commonalty there the reſt; of a Denizen 4 *d.* to be divided betwixt the Toller and the Commonalty; and of a Free-man of the Port 2 *d.*

IV. The Cuſtomers and Controllers ſhall alſo appoint and ſwear a Packer in every Port reſpectively, who may put up in one Pack as many Dickers under ſeven as the owner of the Leather pleaſeth; and his Fee is 4 *d.* a Pack.

V. If the Packer pack any Leather before it be Tolled and Entred by the Cuſtomer or his Deputy, or pack more then ſhall be Entred, he ſhall forfeit for every ſuch offence 5 *l.* and ſuffer Impriſonment at the Kings pleaſure: and if the Toller number any Leather in the abſence of the Cuſtomer, Controller, or his or their Deputy or Deputies, he ſhall forfeit 5 Marks.

VI. If any Stranger, or his Factor, convey any Leather from one Port to another, with an intent to Tranſport it alſo afterwards from the ſecond Port, he ſhall cauſe them to be Tolled, Entred and Packed at the ſecond Port, and ſhall have a Certificate thereof from the Cuſtomer there, in pain to forfeit the ſame, or the value thereof.

VII. None having a Tan-houſe ſhall Tranſport any Leather (without the Kings Licence,) in pain to forfeit the ſame, or the value thereof.

VIII. Theſe Forfeitures ſhall be divided betwixt the King and the Proſecutor.

IX. This Act ſhall not prohibit a Captain of a Ship of the Kings in time of War, nor the Owner nor Maſter of a Ship bound for a Voyage, to take ſalt Hides with them, ſo they exceed not the number of 18. Alſo untanned Hides of Beaſts killed in *Wales*, or the Marches, may be Tranſported notwithſtanding this Act, except by one keeping a Tan-houſe.

* X. Stat. 5 & 6 *E.* 6. 3. None ſhall buy or ingroſs Leather, to the intent to ſell the ſame again, in pain to forfeit the ſame Leather, or the value thereof, to be divided betwixt the King and the Proſecutor or Seiſer.

XI. This Statute ſhall not reſtrain Girdlers, or other Artificers,

to ſell their Necks, Wombs, or Shreds; nor the buying of ſo much Leather as the party which buys it hath licence to Tranſport.

XII. None ſhall Tranſport Shoes, Boots, Buskins, Starrupts, or Slippers, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the Proſecutor or Seiſer.

XIII. No Girdler, or other Cutter of Leather, ſhall Curry it in his own houſe, in pain to forfeit the ſame, to be divided betwixt the King and the Proſecutor.

* XIV. Stat. 1. *M. Parl.* 3. 8. No Artificer uſing the Myſtery of Leather-buying, ſhall buy any Leather, and ſell the ſame again to be Tranſported, in pain to forfeit the ſame, to be divided betwixt the King and the Proſecutor.

XV. No Curriers in *London* ſhall uſe their own Stuff, in pain to forfeit the Leather otherwiſe Curried.

XVI. No Currier ſhall Curry any Hides betwixt St. *James-tide* and the *Lady-day*, but only ſuch as have been ſufficiently dipped twice in the Pan, in pain to forfeit the ſame, to be divided as aforeſaid.

XVII. A Currier ſhall Dreſs his Leather within the ſpace of five days in Summer, and of ten days in Winter, in pain to forfeit to the party grieved for every Hide otherwiſe Dreſſed, 10 *s.*

* XVIII. Stat. 5 *Eliz.* 22. None ſhall make any Pelts, *viz.* pull or take away any Wooll from any Sheep or Lamb-skins, or buy any kind of Stag, Hind, Buck, Doe, Goat, Fawn, or Kid, or the Pelts of any of them, unleſs they make thereof Tawed, or Leather lawfully Tanned, or Parchment, or otherwiſe convert the ſame into Semits, Pannels, or other their own neceſſary uſes, in pain to forfeit the value of ſuch Skins, and 2 *s.* 6 *d.* for every Skin otherwiſe uſed.

* XIX. Stat. 18 *Eliz.* 9. None ſhall Ship any Leather, Tallow, or raw Hides, (except *Scotch* Hides, according to the *Proviſo* of 5 *Eliz.* 8. now repealed by 1 *Jac.* 22.) in pain to forfeit the ſame, and the treble value: and the Owner of the Ship, knowing the ſame, to forfeit his Ship, and the Furniture thereof; and the Maſter thereof, alſo knowing the ſame, to forfeit all his Goods, and to ſuffer one years Impriſonment without Bail. The Forfeitures are to be divided betwixt the King and the Proſecutor.

XX. If the Owner, Maſter, or Mariner, within three months after his knowledge thereof, or at his return into *England*, ſhall upon Oath diſcover it *bona fide* to one of the Barons of the Exchequer, either of the Lords Preſidents, or an Head-Officer of the Port where he Lands, and afterwards ſhall be ready to juſtifie it; he ſhall be thereupon excuſed.

XXI. He that Tranſports any Leather, Tallow, or raw Hides, (otherwiſe than according to the aforeſaid *Proviſo*) ſhall pay by the Name of Subſidy 10 *s.* for every Hide 3 *s.* 4 *d.* for every dozen of Calve-skins, and 6 *s.* 8 *d.* for every 100 weight of Tallow.

XXII. The Cuſtomers, *&c.* ſhall be accountable to the Queen for

for the ſaid Subſidy, and ſhall pay the ſame unto her, upon the pain contained in 3 *H.* 6. 3.

* XXIII. Stat. 1 *Jac.* 1. 22. None ſhall gaſh any Hide, in pain of 20 *d.* nor water them, except in *June*, *July*, and *Auguſt*, nor put them to ſale being putrified, in pain to forfeit for every Hide ſo watered or put to ſale, 3 *s.* 4 *d.*

XXIV. None ſhall kill any Calves under five weeks old, in pain to forfeit for every Calf ſo killed, 6 *s.* 8 *d.* *Rep.* 22 & 23 *Car.* 2. *cap.* 19.

* XXV. No Butcher ſhall exerciſe the Myſtery of a Tanner, in pain of 6 *s.* 8 *d.* for every day he ſo continues both Profeſſions.

XXVI. None ſhall be Tanners but ſuch as have ſerved ſeven years as Apprentices or hired Servants in that Trade, or the Widow or Children of a Tanner, having a Tan ſat left them, and having been brought up in that Profeſſion by the ſpace of four years, in pain to forfeit all the Leather they Tan, or the full value thereof.

XXVII. None that uſeth the cutting or working of Leather ſhall be a Tanner, in pain to forfeit all the Leather he Tans, or the value thereof.

XXVIII. None ſhall buy any rough Hides, or Calve-skins in the Hair, but only ſuch as do or may lawfully Tan them, (except ſalt Hides, for the neceſſary uſe of Ships) in pain to forfeit them, or the juſt value: Neither ſhall any foreſtall Hides, but buy them in open Fair or Market, (except ſuch as kill Beaſts for their own Proviſion) in pain to forfeit for every Hide otherwiſe bought, 6 *s.* 8. *d.*

XXIX. None ſhall buy any Tanned Leather unwrought, but only ſuch as will and ſhall convert the ſame into made Wares.

XXX. This Act ſhall not reſtrain Artificers from buying Tanned Leather every *Munday* at *Leaden-hall*, to be converted into made Wares, being firſt duly Searched, Sealed and Regiſtred, as hereafter is limited; nor Girdlers, or Sadlers from ſelling their Necks or Shreds of Tanned red Leather.

XXXI. The Tanner that over-limes his Hides, or uſeth in his Tanning any thing ſave Aſh-bark, Oak-bark, Tapwort, Malt, Meal, Lime, Culver-dung, or Hen-dung, or ſuffers them to be frozen, or to be parched with Fire or Sun, or Tans ſuch as are rotten by long lying or otherwiſe, or continues not utter-ſole Leather 12 months in the Woozes, and upper Leather 9 months, or doth negligently work his Hides in the Woozes, not renewing and ſtrengthening them as often as need ſhall require, or doth work them in any other ſort than is by this Statute limited, ſhall forfeit every Hide ſo Tanned and put to ſale, or the full value thereof.

XXXII. No Tanner ſhall by mixtures raiſe any Hide for Sole-Leather which ſhall not be fit for that uſe, in pain of forfeiting the ſame.

XXXIII. None ſhall put to ſale any Tanned Leather red and unwrought, but in open Fair or Market, unleſs the ſame hath been Searched and Sealed in ſome Fair or Market before; neither ſhall any offer to ſell any ſuch Leather before it be Searched and Sealed, in pain to forfeit for every Hide otherwiſe put to ſale, 6 *s.* 8 *d.* and for every dozen of Calve-skins or Sheep-skins, 3 *s.* 4 *d.* beſides the Hides and Skins themſelves, or the full value thereof.

XXXIV. None ſhall put to ſale any Leather inſufficiently Tanned or Dried, in pain to forfeit the whole, or at leaſt ſo much as ſhall be ſo miſuſed.

XXXV. No Tanner ſhall haſten the Tanning of his Leather by giving it unkind Heats with hot Wooze, or otherwiſe, in pain of 10 *l.* and to ſtand upon the Pillory three days in the next Market.

XXXVI. None ſhall buy or ingroſs Bark, to the intent to ſell the ſame again, in pain to forfeit it, or the value thereof: neither ſhall any fell Oak-trees apt for Barking, where Bark is worth 2 *s.* the Cart-load, (Timber for the neceſſary repair of Houſes, Ships and Mills, excepted) but only betwixt the firſt of *April* and the laſt of *June*, in pain to forfeit the Trees otherwiſe felled, or the double value of the ſame.

XXXVII. Purveyors of Trees for the Kings uſe, ſhall fell them only in Barking-time, (except for the preſent repair of the Kings Houſes or Ships) and ſhall take no more thereof from the Owner than what may ſerve the Kings preſent occaſion; in pain to forfeit to the party grieved for every Tree, and for the Lop, Top, or Bark of every Tree taken contrary to this Act, 40 *s.* And it ſhall be lawful for the Owner to retain the Lop, Top, and Bark of every ſuch Tree.

XXXVIII. A Currier ſhall not Curry Hide or Skin which is not ſufficiently Tanned and Dried, and that in his own Houſe, ſituate in ſome Corporate or Market-Town, and not elſewhere: neither ſhall he gaſh, or other way ſpoil or impair them, but work them ſufficiently in all points, in pain to forfeit for every Skin or Hide ſo ſpoiled (otherwiſe than by gaſhing in ſhaving them) 6 *s.* 8 *d.* beſides the value of the ſame Skin or Hide; and for gaſhing them, to forfeit to the party grieved twice ſo much as he impairs them thereby.

XXXIX. No Artificer within *London* or three miles of the ſame, ſhall put any Leather to be Curried, ſave only to ſome perſon free of the Company of Curriers in *London*, in pain to forfeit the ſame, or the value thereof.

XL. None within the aforeſaid Juriſdiction of *London* ſhall uſe or put into made Wares any Curried Leather before the ſame be Searched and Sealed, in pain to forfeit for every Hide or Skin 6 *s* 8 *d.* and alſo the value of every ſuch Hide or Skin.

XLI. A Currier ſhall not uſe the Art of a Tanner, Cordwainer, Shoe-maker, Butcher, or of any other Artificer which uſeth the cutting of Leather, in pain to forfeit for every Hide or Skin he Currieth during that time 6 *s.* 8 *d.*

XLII.

XLII. No Currier (ſufficient Stuff being tendred unto him) ſhall refuſe ſufficiently to Curry Leather within eight days in Summer, and ſixteen days in Winter, after he ſhall or may take it in hand, in pain to forfeit for every Hide or piece of Leather not Curried accordingly, 10 *s.*

XLIII. The Wardens of the Company of Curriers (or Officers by them appointed) ſhall within one day after requeſt made unto them, Search and Seal Leather Curried, for which the Currier ſhall pay after the rate of 1 *d.* for every Dicker of Hides, and as much for every ſix dozen of Calve-skins. And the Currier ſhall forfeit for every Hide not Searched and Sealed as aforeſaid, 6 *s.* 8 *d.*

XLIV. Shoe-makers ſhall make their Boots, *&c.* of good and ſufficient Stuff, ſow them well, and not put them to ſale upon Sundays; in pain to forfeit for every ſuch default or offence 3 *s.* 4 *d.* and alſo the full value of all Wares otherwiſe made or ſold.

XLV. The Maſters and the Wardens of the Company of Shoemakers, Curriers, Girdlers and Sadlers, within the Juriſdiction of *London* aforeſaid, or the more part of them, ſhall once every Quarter (or oftner, if need require) make Search and View of all Wares made of Tanned Leather, in pain to forfeit 40 *s.* for every years default, to be divided betwixt the King and the Proſecutor; and ſhall alſo have power to ſeiſe all inſufficient Wares found upon Search.

XLVI. The ſaid Maſters and Wardens ſhall only ſearch the Wares of ſuch as are of their own Profeſſions; and Coach-makers ſhall be under the Survey and Search of the Company of Sadlers.

XLVII. The Mayor and Aldermen of *London* ſhall (within the ſaid Juriſdiction, and upon the like pain of 40 *s.* to be employed as aforeſaid) chuſe and ſwear eight expert Men out of ſome of the four Companies aboveſaid, to be Searchers and Sealers of all Tanned Leather there, whereof one ſhall be aſſigned to keep the Seal.

XLVIII. Head-Officers in Corporate and Market-Towns, and Lords of Liberties, ſhall yearly in all other parts of the Kingdom (upon the like pain of 40 *s.* to be employed as aforeſaid) appoint and ſwear two, three, or more, honeſt and skilful Men, to be Searchers and Sealers of Leather, who ſhall have power to Seal ſufficient Wares, and likewiſe to ſeiſe and retain ſuch as be inſufficient, until they ſhall be tried by Triers to be hereafter appointed by this Act.

XLIX. There ſhall be appointed ſix Triers of inſufficient Leather and Leather-wares which ſhall be ſeiſed within the ſaid Juriſdiction of *London*: and when any ſuch Leather or Wares are ſeiſed within any other Juriſdiction, the chief Officer, or Lord of the Liberty, or his Deputy, ſhall cauſe trial thereof to be made, by the Oath of ſix honeſt Men, upon ſome Market-day, and within 15 days after ſuch ſeiſure made.

L. The Lord Mayor of *London*, and the Head-Officer, and Lord or Deputy aforeſaid, ſhall appoint Triers in their ſeveral Juriſdictions,

ons, in pain of 5 *l.* to be divided betwixt the King and the Profecutor: and theſe Triers ſhall do their Duties in that Office without delay, in pain to forfeit for every default 5 *l.*

LI. Four of the Triers in *London* ſhall be yearly changed, and other four placed in their rooms, and none ſhall continue in that Office there above two years: and if any happen to be Trier two years together, he ſhall not be choſen again within three years after, in pain to forfeit for every month he continues otherwiſe in that Office, 10 *l.*

LII. No Searcher or Sealer of any Leather ſhall refuſe within convenient time to do his Office, or allow any Wares which are ſufficient, in pain of 40 *s.* and ſhall not take Bribes, or exact more than due Fees, in pain of 20 *l.* nor being lawfully elected, ſhall refuſe the Office, in pain of 10 *l.*

LIII. All red Tanned Leather, which ſhall be brought within the aforeſaid Juriſdiction of *London*, ſhall be carried to *Leaden-Hall* before it be Houſed, and there Searched, Sealed and Regiſtred by the Officers aforeſaid, for which, if it were Sealed before, (out of the ſaid Juriſdiction) they ſhall take half Fees only.

LIV. None ſhall ſell any Tanned Leather within the aforeſaid Juriſdiction of *London*, before the Officers there have ſearched and ſealed it, in pain to forfeit the ſame, or the value thereof.

LV. None ſhall withſtand the Searchers and Sealers in the due execution of their Office, nor the ſeiſing of inſufficient Wares, in pain of 5 *l.*

LVI. The aboveſaid Searchers and Sealers ſhall Regiſter all Tanned Leather ſold in Fairs or Markets, together with the prices thereof, and the Names and Dwelling-places of the Buyer and Seller, (being thereunto required by the ſaid Buyer and Seller) taking as well of the Buyer as the Seller 2*d.* for every ten Hides, Backs or Buts ſoal-leather, and 2 *d.* for every ſix dozen of Calve-skins, or Sheep-skins and no more.

LVII. None ſhall ſell any Tanned Leather (red or unwrought) before it be Regiſtred, in pain to forfeit the value thereof.

LVIII. None ſhall buy any Tanned Leather before it be Searched and Sealed, nor carry it out of the Fair or Market before it be Regiſtred, in pain to forfeit the ſame, or the value thereof.

LIX. The Currier within the Juriſdiction of *London* aforeſaid, which Currieth not his Leather ſufficiently, and every other Artificer there (uſing Tanned and Curried Leather) which putteth into his Wares Leather inſufficiently Tanned or Curried, ſhall forfeit for every ſuch default the ſaid Wares, and the juſt value thereof.

LX. No ſuch Artificer ſhall ſell any Wares but in open Shop, Fair, or Market, where due ſearch may be made, in pain to forfeit the Wares otherwiſe ſold, and beſides 10 *s.* for every ſuch offence.

LXI. Here the ſums of Money aforeſaid forfeited ſhall be divided into three parts, whereof the King is to have one, the Profecutor another, and the City, Corporation, or Lord of the Liberty, the third.

LXII. The

LXII. The value of the Wares forfeited within the Jurisdiction of *London*, after Praisement, shall also be divided into three parts, whereof one shall be given to the Seisor, another to the Chamber of *London*, and the third to the Poor: and in all other Places, one third part to charitable Uses, another to the Head-Officer or Lord of the Liberty, and the third to the Seisor or Seisors for his or their pains.

LXIII. None shall buy any forfeited Wares to sell them again, in pain to forfeit for every parcel thereof 3 *s.* 4 *d.*

LXIV. This Act shall not prejudice the Authority of the Universities, so that their Officers observe the Provision of this Act under the Penalties in this Act contained.

LXV. The Hides or Skins of Ox, Steer, Bull, Cow, Calf, Deer, Goats and Sheep, being Tanned or Tawed, and salt Hides, are reputed Leather within the Letter of this Statute.

☞ LXVI. Justices of Assise of Gaol-delivery and of Peace, Srewards of Leets, the Mayor of *London*, and Head-Officers within their several Precincts, have power to hear and determine these Offences.

LXVII. The Kings Steward of a Leet of Liberty shall have the same Authority, and be subject to the same Penalties, that a Lord of a Leet hath and is subject to.

LXVIII. It shall be lawful for all Artificers (save only Shoemakers between *September* and the Twentieth of *April*,) to use Dry, Curried and Frised Leather, being well Tanned according to this Act.

LXIX. This Act shall not extend to *Wales*.

LXX. If any Customer, or other such Officer, having notice of the Transporting of any Leather, do not use his best endeavour to seise it, or, being Transported, do not disclose it within fourty days, he shall forfeit for the first default 100 *l*, and for the second lose his Place: and every such Officer for making a false Certificate of the arrival of any Leather, shall also forfeit 100 *l*.

LXXI. This Act shall not extend to *Scotch* Hides brought to *Berwick*.

LXXII. Licences to dispense with the Offences prohibited by this Act, shall be void.

LXXIII. Stat. 4 *Jac.* 1. *c.* 6. There shall be no penalty for housing, buying or selling Sheep-skins unsealed.

LXXIV. None shall sell Tanned Leather by weight, in pain to forfeit the same, or the value thereof, to be divided between the King and the Prosecutor.

LXXV. Stat. 13 & 14 *Car.* 2. *cap.* 7. None shall carry or Transport into *Scotland*, or beyond Sea, Skins Tanned or Untanned of Oxen, Steers, Bulls, Cows, or Calves, in other manner than is here directed: nor out of any Island belonging to this Kingdom, except *Ireland*, to any Place but *England*, on pain to forfeit double the value of the Skins Transported out of any of the said Islands to any Place but *England*.

LXXVI.

LXXVI. All red Tanned Leather made of the Skins aforeſaid, ſhall be bought in open Leather Markets, on pain to forfeit it or the value, and the Contract for the ſale to be void: and ſhall be Searched and Sealed before it be expoſed to ſale, and upon ſale Entred with the Regiſter by Buyer and Seller, both preſent, with their Names and Places of abode, on pain to forfeit it or the value.

LXXVII. Perſons found guilty of Tranſporting any Leather or Hides aforeſaid (except ſuch Calves-ſkins and Sheeps-ſkins Dreſſed withour the Wooll, as by Law may be Tranſported) ſhall be diſabled to deal in Leather, and forfeit 500 *l.* but Leather made into Boots, Shoes or Slippers, may be Tranſported.

LXXVIII. The Maſters and Wardens of the Cordwainers, Sadlers, Girdlers, and Curriers of *London*, and their Deputies, all Officers belonging to the Cuſtoms, all Juſtices of Peace, Mayors and chief Officers of Corporations, may ſearch for, and ſeiſe Leather or raw Hides purpoſed to be Tranſported, other than Calves-ſkins and Sheeps-ſkins as aforeſaid.

LXXIX. They that ſhave, cut, and take their upper-leather Hides all over, and the Necks of their Backs and Butts, ſhall forfeit them or their value, and the Searchers and Sealers of Leather may ſeiſe the ſame. The Market for Leather in *Leaden-Hall* in *London*, ſhall be kept on the *Tueſday*, as now it is.

LXXX. The ſaid Forfeitures ſhall be recovered by Act of Debt, Bill, Plaint, *&c.* in the Courts at *Weſtminſter*, or any other Court of Record, nor ſhall the ſame be removed thence: and one half ſhall be to the King, the other to the Informer.

LXXXI. Such Tranſportation contrary to this Act is declared a common Nuſance. But this Act ſhall not extend to prohibit the carrying Hides or Leather for the uſe of Ships, not exceeding ſix Raw and three Tanned Hides.

LXXXII. All that ſhall buy red Tanned Leather within *London*, or three miles thereof, ſhall before the next Market-day in the ſaid Place for Leather, give notice thereof to ſome Currier within the ſaid compaſs, and within three Weeks after that deliver it to him, except what ſhall be uſed for Soals, to be Dreſſed, as by 1 *Jac. Cap.* 22. or forfeit 6 *s.* 8 *d.* for every Back, Butt, Hide, or Calves-ſkin not delivered.

LXXXIII. The Maſter and Wardens of the Company of Curriers, or whom they ſhall appoint, may enter into any Place within the ſaid compaſs, belonging to any Dealing in cutting Leather, and in the preſence of any two of them ſearch for, and ſeiſe all Leather prohibited to be uſed by the Clauſe in 1 *Jac.* 1. (*ſupra Paragr. XL.*) and Wares made thereof. They that oppoſe, or refuſe to permit ſuch Search or Seiſure, ſhall forfeit 20 *l.* and all Dealers in cutting Leather that refuſe to be preſent with the ſaid Searchers, when deſired, ſhall forfeit 10 *l.* to the uſes, and to be recovered *ut ſupra.*

LXXXIII. Stat. 20. *Car.* 2. *Cap.* 5. It ſhall be lawful for any perſon to export into *Scotland*, *Ireland*, or any Foreign parts, all ſorts of Leather, Sheeps-ſkins, or Calves-ſkins, Tanned, Tawed or Dreſſed; paying for each hundred weight, containing one hundred and twelve pounds, and ſo proportionably for greater and leſſer quantities, 12 pence and no more.

LXXXV. This Act ſhall continue till the 25th of *March* 1675. and to the end of the firſt Seſſion of Parliament then next enſuing, and no longer.

LXXXVI. Stat. 1. *Jac.* 2. *Cap.* 13. An Act made 20 *Car.* 2. Entituled, *An Act for giving liberty to buy and export Leather and Skins Tanned and Dreſſed*, ſhall be in force from the 24th of *June* 1685. for three years, and to the end of the firſt Seſſion of Parliament then next enſuing, and no longer.

☞ Corn and Grain.

* I. Stat. 5 *Eliz.* 12. None but a married Man and Houſholder of the age of 30 years (at the leaſt) ſhall take upon him to be a Badger, Lader, Kidder, Carrier, Buyer or Tranſporter of Corn or Grain, Butter and Cheeſe; neither he without Licence in open Seſſions of the County where he hath dwelt by the ſpace of three years before, under the Hands and Seals of (at leaſt) three Juſtices, (1 *Qu.*) in pain of 5 *l.* which Licence ſhall remain in force for one year only from the date thereof: and all Licences otherwiſe granted ſhall be void.

☞ II. The Juſtices of Peace in Seſſions ſhall (at their diſcretions) take Recogniſances of Badgers, *&c.* that they ſhall not foreſtall or ingroſs, or put in practice any Act contrary to 5 *&* 6 *E.* 6. 41.

III. The Clerk of the Peace ſhall Write and enter the Licence and Recogniſance: and his Fees ſhall be, *viz.* for writing the Licence 12 *d.* for writing the Recogniſance 8 *d.* and for entring them both into a Regiſter-Book 4 *d.* which Book he ſhall bring to every Seſſions.

IV. This ſhall not give liberty to any Badger, *&c.* to buy Grain out of open Fair or Market, (to ſell again) unleſs there be ſpecial words in his Licence to warrant the ſame, in pain to forfeit for every time ſo offending 5 *l.*

V. Theſe Forfeitures are to be divided betwixt the Queen and the Proſecutor.

VI. The Queens moiety ſhall be Eſtreated according to the uſual manner, and the Proſecutors Levied by *Fieri facias* or *Capias*: but when the Suit is wholly the Queens, the whole ſhall be eſtreated for her uſe.

VII. Juſtices of Peace have power to hear and determine theſe Offences in Seſſions by Inquiſition or Verdict, or otherwiſe upon the Oath of two Witneſſes, (at their diſcretions) and to make Proceſs thereupon.

VIII. This

VIII. This Act ſhall not reſtrain Purveyors of Cities and Towns Corporate, neither yet the Inhabitants of the Counties of *Weſtmorland*, *Cumberland*, *Lancaſter*, *Cheſter*, and *York*,

☞ IX. Stat. 13 *Eliz.* 13. For the increaſe of Tillage, and the maintenance of the Navy and Mariners, the Lords Preſidents and the Councils in the North, and *Wales*, Juſtices of Aſſiſe in their Circuits, and Juſtices of Peace in their Seſſions, have power to licenſe or prohibit the Tranſportation of Grain at their diſcretions: Provided their Order be firſt approved by the Queen or her Council; which alſo may be countermanded by the Queens Proclamation, if there be cauſe for it.

X. Stat. 3 *Car.* 4. Corn may be Tranſported to the Kings Allies when Wheat is ſold for 32 *s.* Rye for 29 *s.* Beans for 16 *s.* and Barley or Malt for 16 *s.* the Quarter, or under.

See Title Trade, *Num.* I. *and* XIII.

Cornwall.

I. Stat. 2. 13 *Car.* 2. *cap.* 4. Leaſes made or to be made within three years by the King, under the Great Seal or Seal of the Exchequer, or by Copy of Court Roll of Offices, Parks, Lands, or Hereditaments, (other than Honours, Lordſhips or Mannors) parcel of the Poſſeſſions of the Dutchy of *Cornwall*, ſhall be good in Law.

II. Such Leaſes, if in Poſſeſſion, ſhall be but for Three Lives, or Thirty one years, or for ſome term of years determinable upon one, two, or three Lives: if in Reverſion, they, together with the Eſtates in Poſſeſſion, ſhall not exceed Three Lives, or Thirty one years, nor be diſpuniſhable of Waſte: and the ancient Rent ſhall be reſerved, or ſuch Rent as hath been paid the greater part of Twenty years before the making of ſuch Leaſes: and where no Rent hath been reſerved, there ſhall be reſerved a reaſonable Rent not under the fourth part of the clear yearly value.

III. All Covenants, Conditions and Agreements in every ſuch Leaſe, Grant or Copy, ſhall be good in Law.

IV. Stat. 22 *Car.* 2. *cap.* 7. *Another Act to the ſame effect in all points: only, that upon Leaſes to be made by vertue of this Act, where no Rent hath been reſerved, there ſhall be reſerved a reaſonable Rent, not under the 20th part of the clear yearly value.*

V. And whereas of late increaſed Rents have been reſerved upon many Eſtates of the ſaid Dutchy, whereof the Tenants have complained, Be it Enacted, That in caſe any of the Copyhold Tenants of the ſaid Dutchy, ſhall within three years agree with the Lord Treaſurer, or Commiſſioners of the Treaſury, or the Chancellor or under-Treaſurers of the Exchequer, or ſuch as they ſhall appoint, for taking off ſuch increaſed Rents according to Directions given in Writing under their Hands, ſuch increaſed Rents ſhall ceaſe, upon ſuch Agreement made, and money paid to the Receiver-General

neral of the Dutchy, and only the old, or ſuch other Rent as ſhall be directed by ſuch Agreement, be charged.

VI. Stat. 25 *Car.* 2. *cap.* 3. *Another Act to the ſame purpoſe in all points, except what is contained in the fifth Section, concerning which nothing is here Enacted.*

VII. Stat. 1 *Jac.* 2. *cap.* 9. All Grants made in the late Kings Reign, or to be made by Copy of Court-roll, according to the Cuſtom of the reſpective Mannors of the Dutchy of *Cornwall*, or thereunto annexed, and all Leaſes and Grants made by the late King, or to be made within ſeven years, by Letters Patents under the Great Seal, or Exchequer Seal, or by Copy of Court-Roll, of any Offices, Meſſuages, Parks, Lands, Tenements, or Hereditaments, (other then Honours, Lordſhips, or Mannors) parcel of the Poſſeſſions of the ſaid Dutchy, or annexed to the ſame, ſhall be good in Law, againſt the King and all others that ſhall at any time hereafter enjoy the ſaid Dutchy.

VIII. Provided that every ſuch Leaſe or Grant, be not made for more then one, Two, or Three Lives, or Thirty one years, or under, or for ſome Term of years determinable upon one, two or three lives. And if ſuch Leaſes, *&c.* be made in Reverſion, the ſame, together with the Eſtates in Poſſeſſion, not to exceed Three Lives, or Thirty one years, and not to be diſpuniſhable of Waſte, and the ancient Rent to be reſerved, or the Rent uſually paid for the greater part of Twenty years next before 1660. and where no Rent hath been paid, there a Rent to be reſerved, not being under the Twentieth part of the clear yearly value.

IX. Covenants, Conditions, Reſervations and other Agreements in ſuch Leaſes, *&c.* ſhall be good in Law, as if the King at the time of the making ſuch Covenants, *&c.* were ſeized in Fee-ſimple, ſaving to all perſons, other then the King and the Dukes of *Cornwall* for the time being, all ſuch Rights, Titles, *&c.* as they had, or ought to have had before the making.

X. In caſe any the Tenants of the ſaid Dutchy ſhall within ſeven years next coming, compound with the Lord High-Treaſurer, or the Commiſſioners of the Treaſury, or ſuch as he or they ſhall Authorize for the taking off any encreaſed Rent reſerved as aforeſaid; then upon ſuch Compoſition-money paid to the Receiver-General of the ſaid Dutchy, and Enrolled before the Auditor of the Premiſſes, ſuch increaſed Rents ſhall from thenceforth ceaſe, and the old Rent only, or ſuch other Rent as ſhall be directed by ſuch Compoſition, ſhall be charged upon the Lands, *&c.* ſo Compounded for.

☞ Coroner.

I. Weſt. 1. 10. 3. *E.* 1. Sufficient Men of the moſt wiſe and diſcreet Knights ſhall be coſen in all Counties for Coroners.

II. The Sheriffs ſhall have Counterparts with the Coroners of all things which concern their Office.

III. They

III. They ſhall take nothing of any man to do their Office, in pain of great Forfeiture to the King.

IV. Stat. 4 *E.* 1. *Officium Coronatoris. See the Statute at large.*

V. Stat. *De Exonia, de inquiſitione ſuper Coronatores,* 14 E. 1. *See the Statute at large, together with the Articles thereunto annexed.*

VI. Stat. 14 *E.* 3. 8. A Coroner ſhall have ſufficient in the County whereof to anſwer all people.

VII. Stat. 28 *E.* 3. 6. Coroners ſhall be choſen in the full Counties, of the moſt convenient and lawful Men; ſaving unto the King and other Lords (that may make Coroners) their Franchiſes.

VIII. Stat. 1 *H.* 8. 7. Where one is ſlain by miſadventure, the Coroner ſhall execute his Office without Fee, in pain of 40 *s.*

IX. Juſtices of Aſſiſe and Peace have power to inquire of, and puniſh the Defaults and Extortions of Coroners.

Corporation.

I. Stat. 19 *H.* 7. 7. Corporations ſhall not make or execute any Ordinances in diminution of the Prerogative of the King, or of other, or againſt common profit, except approved by the Chancellor, Treaſurer, and the Chief Juſtices, or three of them, or by the Juſtices of Aſſiſe, in pain of 40 *l.*

II. They ſhall make no Ordinance to reſtrain Suits in the Kings Court, upon the like pain of 40 *l.*

III. Stat. 22 *H.* 8. 4. They ſhall take but 2 *s.* 6. *d.* for the firſt entry of an Apprentice, and 3 *s.* 4 *d.* for his entry of Freedom, in pain of 40 *l.* to be divided betwixt the King and the Proſecutor.

IV. Stat. 28 *H.* 8. 5. No Corporation ſhall by Oath or Bond reſtrain any Apprentice or Journey-man from keeping Shop, or take money of them for their Freedom, or the Occupying in their Profeſſion, otherwiſe than is limited by 22 *H* 8. 4. in pain of 40 *l.* to be divided as aforeſaid.

V. Stat. 33 *H.* 8. 27. In Acts to be done by Corporations, the conſent of the greater part ſhall bind, and the Oath taken by them to the contrary ſhall not be obſerved.

VI. No perſon ſhall hereafter give any ſuch Oath, in pain of 5 *l.* to be divided betwixt the King and the Proſecutor.

VII. Stat. 2. 13 *Car.* 2. *cap.* 1. None ſhall bear any Office of Magiſtracy or other Employment concerning the Government of any Cities, Corporations, Boroughs, Cinque-Ports, and their Members, and other Port-Towns, that ſhall not within one year before their Election have taken the Sacrament according to the Rites of the Church of *England*, and every perſon ſo placed or choſen, when the Oath for due execution of their Places ſhall be Adminiſtred, ſhall take the Oaths of Allegiance and Supremacy, and this Oath; *viz.*

I. A. B. *do declare and believe, That it is not lawful upon any pretence whatſoever to take Arms againſt the King, and that I do abhor that*

Traiterous

Traiterous Poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſionated by him; So help me God.

And ſhall ſubſcribe this Declaration,

I. A. B. *do declare that I hold, That there lies no obligation upon me or any other perſon from the Oath commonly called,* The Solemn League and Covenant; *and that the ſame was in it ſelf an unlawful Oath, and impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of this Kingdom.* In default whereof every ſuch placing and choice ſhall be void.

VIII. The ſaid Oaths and Declaration ſhall be Adminiſtred by thoſe who ought to tender the Oath for due executing the ſaid Places, and in default of ſuch, by two Juſtices of the Peace of the ſaid Cities, *&c.* if ſuch there be; elſe by two Juſtices of Peace of the reſpective Counties: who ſhall cauſe Memorandums to be made of all Oaths taken before them, and Subſcriptions made, and deliver them once a year to the Town-Clerks, or other Regiſter or Clerk of the ſaid Cities, *&c.* to be entred in the Regiſters.

IX. Nothing in this Act ſhall extend to the prejudice of ſuch as have Reverſions of Offices belonging to the City of *London*, by vertue of any Order, Grant, Deſignation, *&c.* of the Lord Mayor and Court of Aldermen, made or granted before the late Wars, in reſpect of ſuch Grant or Deſignation only.

Corpus cum cauſa, Certiorari, Habeas Corpus & Superſedeas.

I. Stat. 2 *H.* 5. *Stat.* 1. 2. If a *Corpus cum cauſa* or *Certiorari* be granted out of the Chancery, to remove one that is in Priſon upon an Execution at another mans Suit, he ſhall be remanded.

II. Stat. 43 *Eliz.* 5. No Writ of *Habeas corpus*, or other Writ Sued forth to remove an Action, ſhall be allowed, unleſs it be delivered unto the Judge, or Officer of the Court, before the Jury appear, and one of them be ſworn.

III. Stat. 21 *Jac.* 18. Proceſs of the Peace and good behaviour ſhall not iſſue out of the Chancery or Kings Bench, but upon motion in open Court, and good cauſe ſhewed upon Oath, which ſhall alſo be Indorſed upon the Writ. Howbeit if that cauſe ſhall be afterwards diſproved, the Judge or Judges of the ſaid Courts (reſpectively) ſhall commit the Offender to Priſon, until he pay the Party grieved all his Coſts and Damages.

IV. All Writs of *Superſedeas* ſhall be void, unleſs ſuch Proceſs be likewiſe granted upon motion as aforeſaid, and upon ſuch ſufficient Sureties as ſhall appear to the Court upon Oath to be Subſidy-men Aſſeſſed at 5 *l.* Lands, or 10 *l.* Goods, and alſo, unleſs the Proſecution againſt the Party for the Peace or good behaviour be *bona fide*; and here, falſe Sureties procured for the gaining of ſuch Writs ſhall be puniſhed by the Judges.

V. *Certiorari* ſhall not be allowed, unleſs the Indicted will become bound with ſufficient Sureties (ſuch as the Juſtices of Peace in Seſſions ſhall like of) to pay to the Proſecutor within one month after conviction, ſuch Coſts and Damages as the ſaid Juſtices ſhall Aſſeſs.

VI. Stat. 21 *Jac.* 1. 23 No Writ to remove a Suit commenced in an inferiour Court ſhall be obeyed, unleſs delivered to the Stewards, *&c.* of the ſame Court before Iſſue or Demurrer joyned, ſo as ſuch Iſſue or Demurrer be not joyned within ſix weeks after the Arreſt or Appearance of the Defendant.

VII. An Action or Suit once remanded, ſhall never afterward be again removed.

VIII. When the thing in demand exceedeth not 5 *l.* the Suit ſhall not be removed by any Writ, ſave only by Writs of Error or Attaint.

IX. This Act ſhall only extend to Courts of Record, where an Utter-Barriſter of three years ſtanding is Judge, Recorder, Steward, *&c.* or Aſſiſtant to ſuch Officer there, and not of Counſel in any Action there depending.

X. Neither ſhall this Act extend to any Action which cannot be Tried in ſuch inferior Courts.

Couſenage, Ayel and Beſayel, &c.

I. Weſt. 2. 20. 13 *E.* 3. In Writs of *Couſenage*, *Ayel* and *Beſayel*, the Tenants Anſwer (that the Plaintiff is not next Heir of the ſame Anceſtor by whoſe death he demandeth his Land) ſhall be admitted and inquired, and according to the ſame Inquiſition the Juſtices ſhall proceed to Judgment.

☞ Cottages.

* I. Stat. 31 *Eliz.* 7. None ſhall erect or convert a Building to be a Cottage for Habitation, unleſs he lay four Acres of Free-hold Land of Inheritance ſo near unto it, that they may be conveniently occupied therewith, in pain to forfeit 10 *l.* to the Queen for every ſuch Erection or Converſion, and 40 *s.* a month for the continuance.

II. No Owner or Occupier of any Cottage ſhall place or willingly ſuffer any more Families than one to co-habit therein, in pain to forfeit to the Lord of the Leet 10 *s.* for every month he ſo continues them together.

☞ III. Juſtices of Aſſiſe, Juſtices of Peace in their Seſſions and Lords of Leets, have power to hear and determine theſe Offences.

IV. This Statute ſhall not extend to Cottages in Cities, Boroughs or Market-Towns, or provided for Labourers in Mines or Quarries within one mile from ſuch Mines or Quarries, or for Seafaring Men

Men within one mile of the Sea or a Navigable River, or for a Keeper, Warrener, Shepherd or Herdſman, or for an impotent perſon; nor to any Cottages which upon an Order by Juſtices of Aſſiſe in open Aſſiſe, or Juſtices of Peace in Seſſion, ſhall be decreed to continue for Habitation, for ſo long time only as by ſuch Decrees they ſhall be tolerated.

☞ Counterfeit Letters.

I. Stat. 33 *H.* 8. 1. If any ſhall falſly obtain any money or other thing by colour of any falſe Token or counterfeit Letters, they being thereof convict by Witneſſes or Confeſſion before the Lord Chancellor, the Lords of the Council in the Star-Chamber, Juſtices of Aſſiſe, Juſtices of the Peace, or by Action in any Court of Record, ſhall ſuffer ſuch puniſhment as ſhall be adjudged by the perſon or perſons before whom they ſhall be ſo convict, the pains of death only excepted.

II. Juſtices of Aſſiſe and Juſtices of Peace (1 *Quor.*) ſhall have power to convent (by Proceſs or otherwiſe) to the Aſſiſes or Seſſions reſpectively, any perſon ſuſpected to offend in that kind, and to Commit or Bail him until the Aſſiſes or Seſſions, or otherwiſe to order him at their diſcretions.

III. Juſtices in Corporations have like Authority for the puniſhment of ſuch Offenders as Juſtices of Aſſiſe or Peace have in their ſeveral Precincts reſpectively.

IV The remedy of the party grieved by way of Action, is ſaved.

☞ County and Turn.

I. Magna Charta, 35. 9 *H.* 3. County-Courts ſhall be held from month to month, or longer, if formerly ſo uſed: and the Sheriff (or his Bailiff) ſhall keep his Turn in the Hundred at the uſual Place, and that only twice a year, *viz.* after *Eaſter* and *Michaelmas*. Leets alſo ſhall be at *Michaelmas* without occaſion.

II. Marlb. 10. 25 *H.* 3. Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, or Religious Men or Women, are not to appear at the Sheriffs Turns, except for ſome other cauſe; and ſuch as have Hundreds of their own ſhall not be bound to appear at ſuch Turns, but only in the Bailiwicks where they dwell.

III. Weſt. 1. 33. 3 *E.* 1. No Sheriff ſhall ſuffer Barretors or Maintainers of Quarrels, or Stewards of great Lords, or other, (unleſs Attorney for his Lord) to make Suit, or to give Judgments in the Counties, or to pronounce them, if he be not required ſo to do by all the Suitors, and Attorneys of the Suitors there preſent; in pain that both the Sheriff and they ſhall be grievouſly puniſhed by the King.

IV. Stat. 31 *E.* 3. *Stat.* 1. 15. Every Sheriff ſhall hold his Turn yearly one time within the month after *Eaſter*, and another time

within the month after *Michaelmas*, in pain to loſe his Turn for the time.

V. Stat. 19 *H.* 7. 24. The Shire-Court for *Suſſex* ſhall be holden one time at *Chicheſter*, and the next time at *Lewis*, *alternis vicibus*; in pain that the Court otherwiſe kept, and the things therein tranſacted, ſhall be void.

VI Stat. 2. 3 *E.* 6. 25. County-Courts ſhall be adjourned from month to month, and no longer.

VII. The Sheriff of *Northumberland* ſhall keep his County-Court at *Alnwick*, and not elſewhere.

☞ Coupers.

*I. Stat. 23 *H.* 8. 4. A Beer or Ale-Brewer ſhall neither by himſelf or others (for his uſe) make any Veſſel whereby they ſhall put their Beer or Ale to ſale, but ſuch only as ſhall be made and marked as is hereafter expreſſed, in pain to forfeit for every Veſſel ſo made, 3 *s.* 4 *d.*

II. Coupers ſhall make their Beer and Ale-Veſſels of good and ſeaſonable Wood, and put their proper Mark thereupon.

III. A Beer-Barrel ſhall contain at leaſt 36 Gallons, a Kilderkin 18, and a Firkin 9; and an Ale-Barrel 32 Gallons, a Kilderkin 16, and a Firkin 8; all of the Kings Standard Gallon. And if the Couper make any bigger or leſſer, he ſhall ſet the true Content upon them. Alſo the Couper ſhall not inhance the Prices of his Veſſels. In pain to forfeit for every ſuch Veſſel defective or inhanced in Price, 3 *s.* 4 *d. viz.* For a Beer-Barrel 9 *d.* a Beer-Kilderkin 5 *d.* and a Beer-Firkin 3 *d.* alſo for an Ale-Barrel 16 *d.* and an Ale-Kilderkin 9 *d.* and an Ale-Firkin 5 *d.*

Note that this Clauſe, for ſo much as concerns the Prices of Veſſels, is Repealed by 8 Eliz. 9. *But Quære whether it doth not yet ſtand in force for defective Veſſels.* Vide 8 Eliz. 9. infra.

IV. No Beer or Ale-Brewer ſhall put any Beer or Ale for ſale in any Veſſel which is not marked by the Couper, and of the Contents above limited.

☞ V. Beer and Ale-Brewers ſhall ſell their Beer and Ale at ſuch Rates as ſhall be thought fit (in the Country) by the Juſtices of Peace, and (in Corporations) by the Head-Officers; in pain to forfeit for every Barrel 6 *s.* Kilderkin 3 *s.* 4 *d.* Firkin 2 *s.* and for every great Veſſel 10 *s.* and every leſſer 12 *d.*

VI. The Forfeitures aboveſaid ſhall be divided betwixt the King and the Proſecutor.

VII. Every Soap-maker ſhall cauſe his Veſſels to be made as followeth: *Viz.* Every empty Barrel to contain 32 Gallons, and to weigh 26 pounds; the Content of the half Barrel to be 16 Gallons, and the weight 13 pounds; and the Content of the Firkin 8 Gallons, and the weight ſix pound and an half; in pain to forfeit for every Veſſel otherwiſe ordered, 3 *s.* 4 *d.*

VIII. The

VIII. The Wardens of the Myſtery of Coupers within the City of *London* (taking with them an Officer of the Mayor) ſhall have power to ſearch and gage all Veſſels made for Ale, Beer and Soap, to be put to ſale within *London* and the Suburbs, and within two miles compaſs without the Suburbs, (as well within the Liberties as without,) and to examine their Contents and Weight, and (being found right) to mark them with St. *Antony's* Croſs: which Searchers ſhall have for their Fee a Farthing for every Veſſel, to be paid by the Owner thereof, and may retain the Veſſel until the Fee be paid: and if any be found defective, they have power to amend or burn them; and the Owner of ſuch defective Veſſels ſhall forfeit 12 *d.* to be diſpoſed as aforeſaid.

IX. In other places where there are no Wardens, the Head-Officers ſhall do it, and ſhall have the like power and advantage as thoſe of *London*.

X. This ſhall not prohibit a Beer-Brewer to keep in his Houſe a Servant for to mend his Veſſels.

XI. If any ſhall diminiſh a Veſſel by taking out the head or a ſtaff thereof, the Veſſel ſhall be burnt, and the Offender ſhall forfeit 3 *s.* 4 *d.* (to be diſpoſed as aforeſaid) and ſhall be further puniſhed at the diſcretion of the Head-Officers.

XII. An Ale-Brewer may alſo retain a Couper in his Service to mend his Veſſels.

XIII. Every Couper ſhall make his Ale-veſſel according to the Aſſiſe expreſſed in the Treatiſe called *Compoſitio menſurarum, viz.* every eight Gallons thereof to contain a Buſhel, according to the Aſſiſe limited by that Ordinance, (which was made 51 *H.* 3.) in pain to forfeit for every Veſſel otherwiſe made, 3 *s.* 4 *d.* to be diſpoſed as aforeſaid.

XIV. Every Couper ſhall mark his Veſſel with his own Mark, in pain of 3 *s.* 4 *d.* to be Levied and Recovered as aboveſaid.

XV. The Seachers ſhall not put out the Ale to meaſure the Veſſel, whereby it may be made worſe.

XVI. This ſhall not prohibit to carry Ale to the Houſes of his Majeſty and Honourable Perſons in great Veſſels, as Butts, Pipes, *&c.* And Ale-Brewers may convey Ale to any mans Houſe in Barrels, Kilderkins, and Firkins, being the due Content.

* XVII. Stat. 8 *Eliz.* 9. So much of the Statute of 23 *H.* 8. 4. as concerns the Prices of Veſſels, is Repealed.

XVIII. Coupers ſhall ſell their Veſſels at ſuch Rates as ſhall be yearly Aſſeſſed (in Corporations) by the Head-Officers, and (in the Country) by the Juſtices of Peace, (or the more part of them) in the Seſſions after *Eaſter*.

XIX. If (after Proclamations of the Rates ſo Aſſeſſed) any Couper ſhall ſell otherwiſe, he ſhall incur ſuch Penalties as by the ſaid Statute of 23 *H.* 8. 4. is ordained, *viz.* for every Barrel, Kilderkin and Firkin, 3 *s.* 4 *d.* to be impoſed and diſpoſed as in the ſame Statute is expreſt, for ſelling ſuch Veſſel above the due Price.

Courts.

I. *In the time of* Hen. 8. *there were (amongſt others) three new Courts erected,* viz. *thoſe of the Augmentations, Firſt-fruits and Tenths, and General Surveyors: But theſe were afterwards annexed to the Exchequer by divers Acts of Parliament, and Letters Patents of* Hen. 8. *and Queen* Mary. *Nevertheleſs in ſome of theſe Acts there remains yet ſomewhat in force, as hereafter followeth.*

II. Stat. 33 *H.* 8. 39. All Obligations and Specialties concerning the King, ſhall be made to him and his Heirs, Kings, in his own Name, by theſe words, *Domino Regi*, and to no other perſon; and then for payment, *Solvendum Domino Regi, hæredibus vel executoribus ſuis*, with other words uſed in common Obligations: and ſuch Obligations ſhall be of the nature of Statutes ſtaple. And if the King die, leaving ſuch Obligations, they ſhall remain to his Heirs or Executors at the Kings pleaſure.

III. If any take Obligation that concerns the King in another manner, they ſhall ſuffer Impriſonment as ſhall be ordered by the Kings Council.

IV. All Suits for the Kings Debts in any Court mentioned in this Act, upon any Obligation or Specialty delivered before this Act, or to be delivered before the ſecond day of *May* next, ſhall be proſecuted in the Kings Name, to what perſon ſoever ſuch Obligation or Specialty were made; and they ſhall be of the nature of Statutes-ſtaple, as before.

V. The King in all Suits for Debts ſhall recover his Coſts and Damages,

VI. Suits for the Kings Debts ſhall be in the proper Courts where they ſhall be due, whether it be the Exchequer, Dutchy, Augmentations, Surveyors, Wards and Liveries, Firſt-fruits and Tenths, or any of them; out of which ſuch Proceſſes ſhall iſſue for the ſpeedy recovery of them as the Court ſhall think fit.

VII. The ſaid Courts ſhall have power to hear and determine all Actions, Defaults, Offences, and other things which ſhall ariſe upon any matter committed to the Governance of the ſame Courts, wherein the King ſhall be only Party; and alſo all Eſtates for term of years betwixt Party and Party concerning the Premiſſes: all Treaſons, Felonies, and Eſtates of Free-hold and Inheritance, other than Joyntures for term of life only, excepted.

VIII. If any perſon ſhall make Title to any Lands ſold or exchanged to any Fee-ſimple or Fee-tail by the Kings Letters Patents, upon which a Rent is reſerved to the King, his Heirs and Succeſſors, in the Court of Augmentations, or ſhall demand any Rents, Annuities, Officers Fees, or other Profits out of Lands in Fee-ſimple, or in Fee-tail, compriſed in any Letters Patents; or if the King ſhall make like Title or Claim to any Lands of Inheritance, or Profits out of Lands, aſſigned to the ſaid Court in any Letters Patents; that the ſaid Court, or more part of them, ſhall hear and determine

determine ſuch Titles and Claims, and (without other Warrant) make recompence to the Party grieved.

IX. If any Decree of the Court of Augmentations for any of the Premiſſes extend only to the loſs of the Patentee, for the life of the Demandant or Plaintiff, or for term of years; then ſhall the Chancellor of that Court (without any other Warrant) make recompence in Money, or out of Lands limited to the Survey of the ſame Court.

X. The aforeſaid Courts ſhall have power to ſet Fines and Amerciaments, and upon Trial and other Proceedings there, to examine by ſuch proofs, and in ſuch manner as they ſhall think fit; and the Proceedings and Decrees of the ſaid Courts ſhall be effectual in Law.

XI. The chief Officers of thoſe Courts may (without any other Warrant) diſcharge all Bonds and Recogniſances there hanging, the Debts being ſatisfied, and the Conditions performed; and may alſo make void all Recogniſances for appearance, or other contempt.

XII. If any perſon to whom the King hath granted (with reſervation of Rent) any Lands of Inheritance or for life within the Survey of any of the ſaid Courts, do not pay yearly unto the Treaſurer or Receiver-General of the ſaid ſeveral Courts, at the day limited, or within 3 months after, all Sums of Money ſo reſerved, or make ſufficient Tender thereof unto the ſaid Treaſurer or Receiver, he ſhall forfeit ſo much as the fourth part of the ſaid yearly Rent ſhall amount unto: and if he pay not the Rent and Money forfeited, as aforeſaid, within 6 months, he ſhall forfeit ſo much as half the Rent amounts unto: and for every half year after, ſhall forfeit ſo much as the whole years Rent doth amount unto.

XIII. The Treaſurer and Receiver-General may Diſtrain for the ſaid Rents and Forfeitures, and the Head-Officers of the ſaid Courts may iſſue out Proceſs for the recovery of the ſame at their diſcretions.

XIV. A Treaſurer, or Receiver-general or particular, ſhall Sign with his own Hand a lawful Acquittance ready made to be Signed by him without any Fee, in pain of 40 *s.* to be divided betwixt the King and the Proſecutor: and if the Treaſurer or Receiver, or their Clerks, make and Sign one, they ſhall take but 4 *d.* for it, in pain to forfeit 20 *s.* for every Acquittance for which they take more, to be divided as aforeſaid: and every Acquittance ſhall be a ſufficient Diſcharge according to the tenour thereof.

XV. If any Receiver or his Clerk pay a Penſion, or other Annuity or Rent, and have a ſufficient Acquittance Signed, Sealed, and delivered unto him by the Party that is to receive ſuch Payment, he ſhall take nothing for ſuch Acquittance, in pain to forfeit 20 *s.* and if the Receiver or Clerk provide ſuch Acquittance, he ſhall not take above 4 *d.* for the ſame, in pain to forfeit alſo 20 *s.* Neither ſhall the Receiver or his Deputy take above 4 *d.* in the

Pound for Money which he ſhall ſo pay, in pain to forfeit 6 *s.* 8 *d.* for every Penny he takes above. The ſaid Forfeitures are to be divided betwixt the King and the Proſecutor.

XVI. The Auditor that takes above 3 *s.* 4 *d.* for Enrolling any Patent, Decree or Grant, ſhall forfeit 6 *s.* 8 *d.* for every Penny ſo taken, to be divided as aforeſaid; and he ſhall Enroll them, (being tendred unto him) or as much thereof as concerns his Office.

XVII. Auditors ſhall cauſe Proclamation to be made in four Market-Towns in 20 days (at leaſt) before their coming into the County to keep their *Audit*, in pain of 5 *l.*

XVIII. Auditors ſhall ſend out their Precepts for the *Audit* betwixt *Michaelmas* and *Chriſtmas*.

XIX. An Accomptant that (after notice) doth not appear at the *Audit*, or appearing refuſeth to Accompt, or Accompting defers to pay his charge to the Receiver above three weeks after, or conceals or withdraws any Rent or other Profit, ſhall forfeit his Office and Fee, and for concealing or withdrawing, ſhall forfeit three times ſo much as is concealed or withdrawn, proof of the ſaid Defaults being made to the Head-Officer of any of the ſaid Courts; and the ſaid Courts ſhall thereupon award Proceſs in the nature of Attachment for remedy thereof.

XX. In all Actions for Debts accruing to the King upon Attainder, Outlawry, Forfeiture, Gift, or other collateral way, it ſhall be ſufficient to ſhew generally, that the Party unto whom ſuch Debt did belong, ſuch year and day did give it to the King, or was Attainted, Outlawed, or other act committed whereby it came to the King, without alledging the particular Circumſtances. And in ſuch caſe the King ſhall be preferred, both in Suit and Execution, before any other perſon whatſoever.

XXI. Lands of Inheritance, which were the Kings Debtors, are chargeable with the Kings Debts, unto whomſoever (after the Debtors death) they ſhall deſcend, remain or come.

XXII. The Kings Debts are payable by the Heir, though he be not named in the Recogniſance, Bond or other Specialty, and notwithſtanding the Land which comes unto him be Intailed.

XXIII. The Executor and Adminiſtrator are alſo chargeable, if they have Aſſets.

XXIV. This Act ſhall not prejudice any who claim the Lands chargeable by any juſt and former Title without fraud.

XXV. Upon ſufficient cauſe ſhewed why the Lands ſhould not be charged, the Court ſhall diſcharge them of the Kings Debt.

XXVI. If the Lands chargeable be in ſeveral mens Tenures, they ſhall be intirely charged, and not ſeverally.

XXVII. This Act ſhall not diminiſh any of the Liberties or Priviledges of the Dutchy or County Palatine of *Lancaſter*.

XXVIII. All Proceſſes and Executions for Debts growing in the Exchequer, ſhall be made by the Officers of that Court, but in ſuch kind as is limited by this Act.

XXIX.

XXIX. Stat. 1. *M. Parl.* 2. 10. The Queen may by her Letters Patents alter, diſſolve, or reduce into one or more, the Courts of Augmentations, Firſt-fruits and Tenths, Wards, Surveyors, and the Dutchy; or may annex any of them together, or unto any other Court of Record; or erect of the ſame any other new Court or Courts.

XXX. Provided, that nothing in the ſaid Letters Patents to be contained, ſhall charge the Subject otherwiſe than as he ought to have been charged before the ſecond day of this Parliament; and that the Officers of the ſaid Courts ſhall not hold Plea, but only where the Queen is Party againſt any of her Subjects.

XXXI. Provided alſo, that if the Queen ſhall annex any of the ſaid Courts to the Exchequer, all things within the Survey of the ſaid Court or Courts ſo annexed, ſhall be ordered the Exchequer-way, ſaving to all perſons their Offices, Rents, Annuities, and Fees, to be paid out of any the Queens Courts, where there ſhall be ſufficient Revenue to anſwer the ſame.

XXXII. Stat. 16 & 17 *Car.* 1. *cap.* 10. The Court of Star-Chamber, the Courts holden before the Preſidents and Councils in the Marches of *Wales*, and the Northern Parts, the Court of the Dutchy of *Lancaſter*, holden before the Chancellor and Council of that Court, the Court of Exchequer of the County Palatine of *Cheſter*, holden before the Chamberlain and Council of that Court, and all other Courts of like Juriſdiction, and alſo all Warrants and Directions of the Council Board for Commitments, Reſtraints or Impriſonments, awarded by the King or his Council, are abſolutely diſſolved, annulled and made void. *See the Statute at large.*

XXXIII. Stat. 16, 17 *Car.* 1. 15. An Act made againſt divers Incroachments and Oppreſſions in the Stannary Courts. *See the Statute at large.*

XXXIV. Stat. 12 *Car.* 2, *cap.* 24. The Court of Wards and Liveries taken away.

☞ Croſs-Bows and Hand-Guns.

* I. Stat. 33 *H.* 8. 6. None ſhall Shoot in, or keep in his Houſe Croſs-Bow, Hand-Gun, Hagbut or Demihake, unleſs his Lands be of the value of 100 *l. per annum*, in pain to forfeit 10 *l.* for every ſuch Offence.

II. None ſhall ſhoot in, or have any Hand-Gun under the length of one Yard, nor Hagbut or Demihake under the length of three quarters of a Yard, in pain to forfeit 10 *l.* And it ſhall be lawful for any Man, having Lands of 100 *l. per annum*, to ſeize any ſuch Gun or any Croſs-Bow uſed or kept contrary to the form of this Statute: but then he ought to break them within 20 days after, in pain of 40 *s.*

III. None ſhall Travel with a Croſs-Bow bent, or Gun charged, except in time of War, or Shoot within a quarter of a mile of a City,

City, Borough, or Market-Town, except for the defence of himſelf or his Houſe, or at a dead Mark, in pain of 10 *l.*

IV. None ſhall command his Servant to Shoot in any Gun or Croſs-Bow, except at a dead Mark, or in time of War, in pain of 10 *l.*

V. The Penalties aboveſaid ſhall be divided betwixt the King and the Proſecutor.

VI. Howbeit the Followers of Lords, (Spiritual or Temporal) Knights, Eſquires, Gentlemen, and the Inhabitants of Cities, Boroughs, or Market-Towns, may keep in their Houſes, and uſe to Shoot (but at a dead Mark only) with Guns not under the lengths aboveſaid; ſo may the Owner of a Ship for the defence of his Ship, and alſo he that dwells two Furlongs diſtant from a Town, or within five Miles from the Sea-Coaſt: and this laſt may Shoot at any wild Beaſt or Fowl, ſave only Deer, Heron, Shovelard, Feſant, Partridge, wild Swan, or wild Elke.

VII. Thoſe which have power from the King to take away Guns and Croſs-Bows in Foreſts, Parks and Chaſes, may retain the ſame, notwithſtanding this Act; ſo likewiſe may Smiths and Merchants, that make or ſell them, the ſeveral lengths aboveſaid being duly obſerved.

☞ VIII. It ſhall be lawful for any perſon to convey the party offending againſt this Act, before the next Juſtice of Peace; who upon due examination and proof ſhall have power to commit him to Priſon, there to remain till he hath ſatisfied the Penalty, which in this caſe ſhall be divided betwixt the King and the party that ſo takes the Offender.

IX. Every Placart granted by the King, which expreſſeth not at what Beaſts or Fowl the Grantee ſhall Shoot, and where the Grantee entreth not into a Recogniſance of 20 *l.* in the Chancery, to Shoot at no other, ſhall be adjudged void.

X. Juſtices of Peace in Seſſions, and Stewards of Leets, have power to hear and determine theſe Offences.

XI. When the Conviction is in Seſſions, the whole Forfeiture is to be Levied to the Kings uſe; when in a Leet, the one half is the Kings, and the other half ought to be divided betwixt the Lord and the Proſecutor.

XII. Here, if a Jury ſhall willingly conceal any thing, the Juſtices or Steward have power to impannel another Jury, by whom if the firſt Jury be found guilty of concealment, they ſhall forfeit 20 *s.* apiece, *viz.* to the King if it be in Seſſions, but if in a Leet, then the one half to the Lord, and the other half to the Proſecutor.

XIII. Forfeitures ariſing by this Act ſhall be Sued for, *viz.* by the King within one year, and by a common perſon within ſix months, otherwiſe they ſhall be loſt.

XIV. A Servant upon command may uſe his Maſters Croſs-Bow or Gun, (not prohibited by this Act) ſo as he Shoot at no Fowl, Deer,

Deer, or other Game; and may alſo, by a Licence in Writing, carry it to any Place to be mended.

* ☞ XV. Stat. 2. 3 *E.* 6. 14. None under the Degree of a Baron ſhall Shoot in any Hand-Gun within any City or Town, at any Fowl whatſoever, or with any Hail-ſhot, in pain of 10 *l.* and three months Impriſonment.

XVI. This Act ſhall not reſtrain thoſe who according to the value of their Land are authorized to Shoot by the 33 *H.* 8. 6. ſo that they forbear to uſe any Hail-ſhot; and all others that preſume to Shoot, ſhall preſent their own Names, *viz.* (in a Corporation) to the Mayor or Head-Officer, and (in the County) to the next Juſtice of Peace, in pain of 20 *s.* and the ſaid Juſtice or Head-Officer is to ſee them Recorded at the next Seſſions in like pain of 20 *s.* which Forfeitures are to be divided betwixt the King and the Proſecutor.

Croſſes.

I. Weſt. 2. 32. 13 *E.* 1. Lands where Croſſes be ſet, with purpoſe that the Tenants thereof ſhould defend themſelves againſt the chief Lord or Lords, by the Privileges of Templars and Hoſpitallers, ſhall be forfeited as Lands alienated in Mortmain.

Crown.

I. Stat. 14 *E.* 3. The Realm and People of *England* ſhall not be ſubject or obedient to the King or Kingdom of *France*.

II. Stat. 7 *H.* 4. 2. The Crowns of *England* and *France* were Intailed to the King and his four Sons by name.

III. Stat. 35 *H.* 8. 1. The Crown of *England* is Intailed to the Kings Daughter, the Lady *Mary*, the remainder to the Lady *Elizabeth*, the remainder to ſuch as the King by his Letters Patents or laſt Will in Writing ſhould limit.

* IV. Stat. 1 *Eliz.* 1. No foreign Potentate or Perſon ſhall exerciſe any Power within any of the Queens Dominions, and all Eccleſiaſtical Juriſdiction is annexed to the Crown; ſo that the Queen and her Succeſſors by Letters Patents may authorize any Subject born to exerciſe the ſame.

V. For the better obſervance of this Act, every Eccleſiaſtical perſon, and every Officer, both Eccleſiaſtical and Temporal, and all the Queens Servants, are enjoyned to take the Oath following.

VI. I A. B. *do utterly teſtifie and declare in my conſcience, that the Queens Highneſs is the only Supreme Governour of this Realm, and of all other her Highneſs Dominions and Countreys, as well in all Spiritual or Eccleſiaſtical things or caſes, as Temporal; and that no foreign Prince, Perſon, Prelate or Potentate, hath or ought to have any Juriſdiction, Power, Supremacy, Preeminency, or Authority Eccleſiaſtical or Spiritual within this Realm: and therefore I do utterly renounce and forſake all foreign Juriſdiction, Powers, Superiorities and Authorities;* and

and do promiſe, that from henceforth I ſhall bear Faith and true Allegiance to the Queens Highneſs, her Heirs and lawful Succeſſors; and to my power ſhall aſſiſt and defend all Juriſdictions, Priviledges, Preeminencies and Authorities, granted or belonging to the Queens Highneſs, her Heirs and Succeſſors, or united and annexed to the Imperial Crown of this Realm. So help me God, *and by the Contents of this Book.*

VII. He that refuſeth this Oath ſhall forfeit his Spiritual or Temporal Promotion or Office during his life. And every perſon, before he be admitted to any ſuch Promotion or Office, ſhall take the ſaid Oath before ſuch Perſons as ſhall have Authority to miniſter the ſame: and in caſe he refuſe it, he ſhall be adjudged uncapable of ſuch Promotion or Office.

VIII. Every perſon Suing Livery or *Ouſter le main*, doing Homage to the Queen, received into the Queens Service, taking Orders or Degrees in the Univerſity, ſhall take the ſaid Oath; the firſt three before the Lord Chancellor or Keeper of the Great Seal, the fourth before the Ordinary or Commiſſary, and the laſt before the Chancellor or Vice-Chancellor, or their Deputies.

IX. Provided, if any having a Temporal Office of Inheritance ſhall at firſt refuſe to take the ſaid Oath, and yet doth afterwards take it, he ſhall be reſtored to his Office.

X. None ſhall affirm or maintain the Power or Juriſdiction of any foreign Prelate or Potentate within the Queens Dominions, in pain to forfeit all his Goods and Chattels; and if he be not worth 20 *l.* at the time of his Conviction, he ſhall forfeit all he hath, and beſides ſuffer one whole years Impriſonment without Bail: and here, for the ſecond Offence, he ſhall incur a *Præmunire*; and for the third ſhall be adjudged guilty of High-Treaſon. But this Offence muſt be proſecuted within one year after it is committed; and if the Offence be by Preaching, Teaching, or Words only, the Proſecution by Indictment ſhall be within ſix months: otherwiſe the Offender ſhall be ſet at liberty.

XI. If he be a Clergy-man Beneficed, upon the firſt Conviction all his Spiritual Promotions ſhall be void.

XII. A Peer of the Realm, guilty of ſuch an Offence, ſhall be Tried by his Peers.

XIII. No Act for any matter of Religion or cauſe Eccleſiaſtical made by this Parliament, ſhall be adjudged any Errour, Hereſie, or Schiſm: neither ſhall any perſon, to whom the Queen, her Heirs and Succeſſors, ſhall give Authority to execute Spiritual Juriſdiction, have Power to adjudge any matter to be Hereſie, ſave only ſuch as have been ſo adjudged by Canonical Scripture, or by one or more of the General Councils, or ſhall be ſo adjudged by the Parliament, with the aſſent of the Clergy in their Convocation.

XIV. No perſons ſhall hereafter be Indicted or Arraigned for any of the Offences made by this Act, but by two or more ſufficient Witneſſes to be produced *viva voce* to teſtifie the ſame.

XV. No perſon ſhall be queſtioned for relieving, aiding or comforting

ſorting any ſuch Offender, unleſs it be teſtified by two Witneſſes (at leaſt) that at the time of ſuch relief, *&c.* he had notice of the Offence committed.

XVI. Stat. 1 *Eliz.* 3. The Parliament acknowledge the Queen to be right Heir to the Crown, and promiſe to defend her and the Heirs of her Body in that Eſtate.

XVII. The limitation of the Crown contained in 35 *H.* 8. 1. ſhall ſtand and remain Law for ever; and all Clauſes of Statutes and other things heretofore paſſed againſt the ſame, ſhall be void.

* XVIII. Stat. 5 *Eliz.* 1. None ſhall maintain the Juriſdiction of the Biſhop or See of *Rome* within any of the Queens Dominions, in pain to incur a *Præmunire*, both they and their Acceſſaries.

☞ XIX. Juſtices of Aſſiſe and Juſtices of Peace in Seſſions, or any two of them, (1 *Quor.*) have power to hear and determine this Offence, and are to certifie ſuch Preſentments into the Kings Bench within 40 days after they receive them, if it ſhall be then Term-time; if not, then the firſt day of the Term then next enſuing, in pain of an 100 *l.* The Juſtices of the Kings Bench alſo, as well upon ſuch Certificate, as alſo before themſelves, have power to hear and determine the ſame Offence.

XX. All perſons appointed to take the Oath of Supremacy by 1 *Eliz.* 1. and all other perſons taking Orders, preferred to any Degree in the Univerſities, School-Maſters, publick and private, all perſons taking any Degree of Learning in the Laws in the Inns of Court or Chancery, all Attorneys, Protonotaries, Philizers, Sheriffs, Eſcheators, Feodaries, all perſons admitted to any Miniſtry or Office belonging to the Common Law, or other Law or Laws, and all Officers and Miniſters of every Court, ſhall take the ſaid Oath *verbatim*, before they be admitted to exerciſe their Office, Miniſtry, or Profeſſion: which Oath ſhall be adminiſtred in open Court unto the Officers and Miniſters of Courts; and unto ſuch as belong not to any Court in ſome open place, in the preſence of a convenient Aſſembly; and before other perſons authorized to give it by common uſe, Commiſſion, or otherwiſe.

XXI. Archbiſhops and Biſhops have power to miniſter the ſaid Oath within their proper Dioceſs.

XXII. The Lord Chancellor or Keeper, (without farther Warrant) may direct Commiſſions to tender it.

XXIII. None compellable to take this Oath by this Act or that of 1 *Eliz.* ſhall refuſe to take it, in pain to incur a *Præmunire*; ſo that they be Indicted or Preſented for ſuch default within a year.

XXIV. Every perſon having Authority to tender this Oath, ſhall within 40 days after the refuſal thereof, if it be then Term-time, if not, then the firſt day of the next Term, certifie under his Hand and Seal the Name, Place and Degree of the perſon ſo refuſing, unto the Kings Bench, in pain of an 100 *l.* And the Sheriff of the County ſhall impannel a Jury of the ſame County, to inquire upon ſuch refuſal: which Jury may, upon Evidence, Indict the party refuſing,

ſuſing, as well as if the Indictment were preferred in the proper County.

XXV. If any refuſe to take this Oath upon the ſecond tender, or being formerly Convicted of maintaining the Juriſdiction of the Biſhop or See of *Rome*, as aforeſaid, do commit the like Offence the ſecond time; in both caſes both they and their Acceſſaries ſhall ſuffer as in caſe of High Treaſon. But here there ſhall be no corruption of Bloud, diſheriting of any Heir, forfeiture of Dower, or prejudice to the Right of any, ſave only of the Offender during his life; and then the Party next in Reverſion or Remainder may enter without any *Ouſter le main* to be Sued. Here alſo none ſhall be deemed an Acceſſary for giving of Alms in Charity to the Offender without fraud.

XXVI. This Oath ſhall be expounded in ſuch form as is ſet forth in an Admonition annexed to the Queens Injunctions, publiſhed in the firſt year of her Reign, *viz.* to acknowledge in her Majeſty, her Heirs and Succeſſors, ſuch Authority as was challenged and uſed by *Hen.* 8. and *Edw.* 6. and none other.

XXVII. This Act ſhall be publiſhed every Quarter Seſſions by the Clerk of the Peace, and at every Leet by the Steward there, and once every Term in the open Hall of every Inn of Court and Chancery, at ſuch times, and by ſuch perſons as ſhall be appointed by the Lord Chancellor or Keeper for the time being.

XXVIII. Every Member of the Commons Houſe, before he ſhall have a Voice there, ſhall take this Oath before the Lord Steward or his Deputy: and if he enter the Houſe before he take it, he ſhall incur ſuch Penalties as he who preſumes to ſit there without Election, Return, or Authority.

XXIX. None of or above the Degree of a Baron ſhall be compelled to take this Oath; and a Peer offending this Act ſhall be Tried by his Peers.

XXX. Provided, that none ſhall be compellable to take this Oath upon a ſecond tender, or be in danger (by refuſal thereof) to incur the Penalty of High Treaſon, ſave only Clergy-men, Officers of Eccleſiaſtical Courts, or ſuch as ſhall not obſerve the Rites of Divine Service, or do deprave by Words or Writing the Rites and Ceremonies of the Church of *England*, or do uſe to ſay or hear private Maſs.

XXXI. It ſhall not be lawful to ſlay one Attainted in a *Præmunire*.

XXXII. Saving the due execution of every perſon Attainted upon Judgment lawfully given by reaſon of this Statute, or otherwiſe; and ſaving all ſuch pains of death, or other puniſhment, as heretofore might without danger of Law be done upon any perſon that ſhall ſend or bring into the Queens Dominions, or within the ſame, execute any Proceſs againſt any perſon from the Biſhop or See of *Rome*.

XXXIII. None ſhall be hereafter Indicted as an Acceſſary for any

any of the ſaid Offences, without ſuch ſufficient proof as may ſatisfie the Jury that are to Indict him.

*XXXIV. Stat. 13 *Eliz.* 2. If any ſhall obtain or put in ure any Bull of Abſolution or Reconciliation from the Biſhop of *Rome*, or abſolve, or be abſolved thereby, they and their Acceſſaries before the Fact, ſhall be adjudged guilty of High Treaſon.

XXXV. The Comforters and Maintainers of ſuch Offenders ſhall incur a *Præmunire*, and their Concealers Miſpriſion of Treaſon; unleſs within ſix weeks they diſcover them to ſome of the Privy Council, or to one of the Preſidents or Vice-Preſidents of the Councils eſtabliſhed in the North, or Marches of *Wales*.

XXXVI. Provided, no perſon ſhall be Impeached of Miſpriſion of Treaſon for any Offence made Treaſon by this Act, other than ſuch as are hereby declared to be in caſe of Miſpriſion of Treaſon.

XXXVII. If any ſhall bring into any of the Queens Dominions any *Agnus Dei*, Croſſes, Pictures, Beads, or any ſuch vain or ſuperſtitious thing, or deliver or offer the ſame to any perſon to be uſed; both the perſon ſo doing, and the perſon ſo receiving the ſame, ſhall incur a *Præmunire*. Howbeit, if the party unto whom the tender thereof ſhall be made apprehend the party tendring the ſame, and carry him before the next Juſtice of Peace, or, not being able ſo to do, within three days after diſcloſe his Name, and the Place of his abode or reſort, unto the Ordinary, or ſome Juſtice of Peace within the ſame County, or, having received the ſame, doth within one day after deliver it to ſome ſuch Juſtice of Peace, then ſhall he not incur any prejudice by reaſon of this Act.

XXXVIII. A Juſtice of Peace ſhall diſcloſe the Offences aforeſaid to the Privy Council within 14 days after he ſhall have notice thereof, in pain of incurring a *Præmunire*.

XXXIX. Here the Trial of Peers ſhall be by their Peers.

XL. The Right of others ſaved.

*XLI. Stat. 23 *Eliz.* 1. It ſhall be High Treaſon to have or pretend to have power, or to put in practice, to abſolve, perſwade or withdraw any within the Queens Dominions from their natural Obedience to her Majeſty, or to withdraw them for that intent from the Religion now eſtabliſhed, to the *Romiſh* Religion: and they alſo who ſhall be willingly ſo withdrawn or reconciled, as aforeſaid, together with the Procurers and Counſellers of ſuch Offenders, ſhall be adjudged guilty of the ſame Offence.

☞ XLII. Alſo their Aiders and Maintainers, who do not diſcover them within 20 days to ſome Juſtice of Peace or higher Officer, ſhall be adjudged guilty of Miſpriſion of Treaſon.

XLIII. None ſhall ſay or ſing Maſs, in pain to forfeit 200 Marks, to ſuffer one years Impriſonment, and not to be enlarged thence until the Fine be paid: and none ſhall hear Maſs, in pain of one years Impriſonment and 100 Marks.

* XLIV. Every perſon not repairing to Church, according to the Stat. of 1 *Eliz.* 2. (*which ſee in* Service and Sacraments) ſhall forfeit

20 *l.*

20 *l.* for every month they ſo make default; and if they ſo forbear by the ſpace of 12 months after Certificate thereof made by the Ordinary into the Kings Bench, a Juſtice of Aſſiſe, Gaol-delivery, or Peace of the County where they dwell, ſhall bind them with two ſufficient Sureties in 200 *l.* (at leaſt) to the good behaviour, from which they ſhall not be releaſed until they ſhall repair to Church, according to the ſaid Statute.

XLV. None ſhall keep a Schoolmaſter which abſents himſelf from Church, or not allowed by the Biſhop or Ordinary, in pain of 10 *l.* for every month he ſo keeps him; and ſuch Schoolmaſter ſhall be for ever after diſabled to teach Youth, and ſhall ſuffer one whole years Impriſonment without Bail.

☞ XLVI. The Offences againſt this Act, and the Acts of the Firſt, Fifth and Thirteenth years of the Queens Reign, touching the acknowledgment of her Supreme Government in Cauſes Eccleſiaſtical, the Service of God, coming to Church, or eſtabliſhment of true Religion within this Realm, ſhall be inquirable before Juſtices of *Oyer* and *Terminer*, Aſſiſe, Gaol-delivery, and Peace, in their Circuits and Seſſions, within one year and a day after ſuch Offence committed, except Treaſon and Miſpriſion of Treaſon.

XLVII. Provided, that any of the Offenders aforeſaid, which ſhall before Judgment ſubmit and conform themſelves to the Biſhop of the Dioceſs, or in open Aſſiſe or Seſſions, ſhall be diſcharged of every the Offences aforeſaid, (except Treaſon and Miſpriſion of Treaſon) and of all Pains and Penalties incurred for the ſame.

XLVIII. Of the Forfeitures aboveſaid two third parts the Queen ſhall have, one to her own uſe, the other for relief of the Poor in the Pariſh where the Offence is committed, to be delivered without further Warrant than of the principal Officers of the Receipt of the Exchequer; and the other third part the Proſecutor ſhall have. And here the Offender that is not able to pay the Forfeitures, or doth not pay them within three months after Judgment, ſhall be committed to Priſon, and there remain until he hath ſatisfied them, or ſhall conform himſelf and go to Church.

XLIX. They that have on Sundays the Divine Service eſtabliſhed uſually read in their Houſes, and are commonly preſent thereat, and do not obſtinately refuſe to come to Church, but four times in the year (at leaſt) are preſent at Divine Service in their own Pariſh-Church, or ſome other open Chappel of eaſe, ſhall not incur the Penalty aforeſaid for not coming to Church.

L. All covinous Grants to defraud the Intereſt which the Queen or any other perſon may claim by vertue of this Act, or of 13 *El.* 2. ſhall be adjudged void.

LI. If a Peer of the Realm happen to be Indicted for any Offence made Treaſon or Miſpriſion of Treaſon by this Act, he ſhall be Tried by his Peers.

LII. This Act ſhall not abridge the Juriſdiction of Eccleſiaſtical Cenſures.

* LIII.

* LIII. Stat. 27 *El.* 2. All Jeſuits and Seminary Prieſts, and other Eccleſiaſtical perſons, born within any of the Queens Dominions, and Ordained or made ſuch by the pretended Juriſdiction of the See of *Rome*, which come into, or remain in any of the ſaid Dominions, ſhall be adjudged guilty of High Treaſon; and their Receivers, Aiders and Maintainers (knowing them to be ſuch, and at liberty) ſhall be adjudged Felons, without benefit of Clergy.

LIV. All others brought up in Seminaries beyond Sea, and not as yet in Orders, as aforeſaid, which do not within ſix months after Proclamation made in *London* (in that behalf) return into this Realm, and within two days after ſuch Return, before the Biſhop of the Dioceſs, or two Juſtices of Peace of the County where they ſhall arrive, ſubmit themſelves to the Queen and her Laws, and take the Oath of Supremacy, ſhall alſo be adjudged guilty of High Treaſon.

LV. They who give or ſend relief to any ſuch Eccleſiaſtical perſon or Seminary, or to any brought up there, as aforeſaid, ſhall incur a *Præmunire*.

LVI. Theſe Offences ſhall be heard and determined in the Kings Bench, or in any County where they ſhall be committed, or the Offender taken.

LVII. This Act ſhall not extend to any Jeſuit, or other Eccleſiaſtical perſon aforeſaid, which within three days after his arrival ſhall ſubmit himſelf to ſome Archbiſhop, Biſhop, or Juſtice of Peace of the County where he Lands, and there take the Oath of Supremacy, and under his Hand acknowledge to continue in due Obedience to her Majeſties Laws.

LVIII. Here the Trial of a Peer ſhall be by his Peers.

☞ LIX. If any perſon, knowing a Jeſuit or Prieſt to remain within any of the Queens Dominions, do not within 12 days diſcover the ſame to ſome Juſtice of Peace, he or ſhe ſhall make Fine, and ſuffer Impriſonment during the Queens pleaſure: and the Juſtice of Peace which doth not within 28 days after diſcloſe it to ſome of the Privy Council, or to the Preſident or Vice-Preſident of the Councils in the North and Marches of *Wales*, ſhall forfeit 200 Marks; and ſuch of thoſe Councils unto whom ſuch Information ſhall be made, ſhall deliver a Writing under their Hands unto the party Informing, teſtifying that ſuch Information was made unto them.

LX. All Oaths Bonds and Submiſſions, as aforeſaid, ſhall within three months be certified into the Chancery by the parties before whom they are taken, in pain of 100 *l.*

LXI. None having ſubmitted, as aforeſaid, ſhall within 10 years after come within 10 miles of the Court, in pain to loſe the benefit of his Submiſſion.

LXII. Stat. 29 *Eliz.* 6. All Grants, Incumbrances, or Limitations of uſe made by any perſon not repairing to Church, (according to the Stat. of 23 *Eliz.* 1.) and which are revocable by the Offender, intended for his Maintenance, left at his diſpoſition, or in

Conſideration whereof he or his Family are to be kept, ſhall be utterly void againſt the Queen, or to hinder the Levying of the Forfeitures for not coming to Church, or ſaying, hearing, or being at Maſs, or the making of Seiſures for the ſame purpoſe.

☞ LXIII. Every Conviction of any Offence before mentioned ſhall be in the Kings Bench, or at the Aſſiſe of Gaol-delivery, and not elſewhere, and ſhall by the Juſtices there be certified into the Exchequer before the end of the Term then next following.

LXIV. The Queen may ſeiſe all the Goods, and two third parts of the Lands and Leaſes of every Offender not repairing to Church as aforeſaid, in ſuch of the Terms of *Eaſter* and *Michaelmas* as ſhall happen next after ſuch Conviction, the Sum then due for the Forfeiture of 20 *l.* a month, and yearly after that (in the ſame Terms) according to the rate of 20 *l.* a month, for ſo long time as they ſhall forbear to come to Church, according to the ſaid Stat. of 23 *Eliz.* 1.

LXV. The Indictment againſt ſuch an Offender ſhall be ſufficient, although no mention be therein made that the party is within the Realm.

LXVI. When an Indictment is found againſt ſuch an Offender, Proclamation ſhall be made, that he ſhall render himſelf into the Sheriffs hands before the next Aſſiſe or Gaol-delivery; which if he do not, that neglect ſhall be as ſufficient a Conviction, as if upon the ſame Indictment a Trial by Verdict had proceeded.

LXVII. But here, upon the Offenders ſubmiſſion (according to the ſaid Stat. of 23 *Eliz.*) or death, no Forfeiture ſhall enſue, ſave only the Arrearages due at the time of ſuch ſubmiſſion or death.

LXVIII. The Lord-Treaſurer, Chancellor, and chief Baron, or any two of them, ſhall aſſign a third part of the Forfeitures of 20 *l.* a month, for the relief and maintenance of the Poor, Houſes of Correction, and maimed Souldiers.

LXIX. This Act ſhall not extend to Grants made *bona fide*, nor to continue any Seiſure after the death of the Offender, in ſuch Lands wherein he had only an Eſtate for life, or in the Right of his Wife.

* LXX. Stat. 35 *Eliz.* 1. If any above 16 years of age ſhall be Convicted to have abſented themſelves above a month from Church, without any lawful cauſe, impugned the Queens Authority in Cauſes Eccleſiaſtical, or frequented Conventicles, or perſuaded others ſo to do, under pretence of exerciſe of Religion, they ſhall be committed to Priſon, and there remain until they ſhall conform themſelves, and make ſuch open ſubmiſſion as hereafter ſhall be preſcribed: And if within 3 months after ſuch Conviction they refuſe to conform and ſubmit themſelves, being thereunto required by a Juſtice of Peace, they ſhall in open Aſſiſe or Seſſions abjure the Realm; ☞ and if ſuch Abjuration happen to be before Juſtices of Peace in Seſſions, they ſhall make Certificate thereof at the next Aſſiſe or Gaol-delivery.

LXXI.

LXXI. If ſuch an Offender refuſe to abjure, or, going away accordingly, doth return without the Queens Licence, he ſhall be adjudged a Felon, and ſhall not enjoy the benefit of Clergy: but if before he be required to abjure he makes his ſubmiſſion, the Penalties aforeſaid ſhall not be inflicted upon him.

LXXII. The Form of the Submiſſion is as followeth.

I A. B. do humbly confeſs and acknowledge that I have grievouſly offended God, in contemning her Majeſties godly and lawful Government and Authority, by abſenting my ſelf from Church, and from hearing Divine Service, contrary to the godly Statutes and Laws of this Realm, and in uſing and frequenting diſordered and unlawful Conventicles and Aſſemblies, under pretence of Exerciſe of Religion; and I am heartily ſorry for the ſame; and do acknowledge and teſtifie in my conſcience, that no other Perſon hath or ought to have any Power or Authority over her Majeſty. And I do promiſe and proteſt, without any diſſimulation, that from henceforth I will from time to time obey and perform her Majeſties Laws and Statutes, in repairing to the Church, and hearing Divine Service, and do my uttermoſt endeavour to maintain and defend the ſame.

LXXIII. The Miniſter of the Pariſh where the ſubmiſſion is made, ſhall preſently enter the ſame in a Book, and within 10 days after certifie it to the Biſhop of the Dioceſs.

LXXIV. The Offender that after ſuch ſubmiſſion falleth into a relapſe, ſhall take no benefit thereby.

LXXV. The Forfeitures of this Act and of 23 *Eliz.* 1. may be recovered by Action of Debt.

LXXVI. The third part of the Penalties which accrue by this Act, ſhall be diſpoſed as thoſe of 29 *El.* 6.

LXXVII. A Feme-covert ſhall not be compelled to abjure; but any other Offender that abjures, or (being required) refuſeth ſo to do, ſhall forfeit all his Goods and his Land during life: Howbeit here ſhall be no corruption of Blood, loſs of Dower, or Diſheriſon of Heir.

*LXXVIII. Stat. 35 *Eliz.* 2. Popiſh Recuſants, above 16 years of age, ſhall within 40 days after their Conviction repair to their uſual Dwelling, and not remove above 5 miles from thence, in pain to forfeit all their Goods, and their Lands and Annuities during life: ☞ And if they have no certain abode, then are they to repair to the Place where they were born, or where their Father or Mother dwells; and within 20 days after their arrival there, to give their Names in Writing to the Miniſter, Conſtables and Headboroughs; which Miniſter is to enter them in a Book to be kept for that purpoſe, and he, together with the ſaid Conſtables and Headboroughs, is to certifie the ſame to the next Quarter Seſſions, where the Juſtices of Peace ſhall cauſe them to be Enrolled.

LXXIX. A Copyholder ſhall in this caſe alſo forfeit his Eſtate during life, (if his Eſtate continue ſo long) to the Lord of the

Mannor, if ſuch Lord be no Recuſant convict, nor ſeiſed or poſſeſſed in Truſt to the uſe of a Recuſant; for then the Queen ſhall have the Forfeiture.

LXXX. A Popiſh Recuſant (being no Feme-covert, nor having Lands worth 20 Marks *per annum*, or Goods worth 40 *l.*) which within the time above limited doth not repair to the Place of his abode, or doth depart above 5 miles thence, or within 3 months after his arrival there doth not make the ſubmiſſion hereafter following, (being required ſo to do by the Biſhop, a Juſtice of Peace, or the Miniſter there) ſhall before two Juſtices of Peace, or the Coroner, abjure the Kingdom; which Abjuration ſhall be by the ſaid Juſtices or Coroner certified in at the next Aſſiſe or Gaol-delivery.

LXXXI. If ſuch Popiſh Recuſant depart not the Realm within the time limited by the ſaid Juſtices or Coroner, or return without the Queens Licence, he ſhall be adjudged a Felon without Clergy.

LXXXII. A Jeſuit or Prieſt refuſing to anſwer, ſhall be committed to Priſon, and there remain till he will anſwer the Queſtions whereupon he was before examined.

LXXXIII. This Act ſhall not reſtrain a Recuſant (urged by Proceſs or Summons without fraud) to Travel without the abovesaid limits, ſo he return again in a convenient time; neither him that is compelled to tender his body to the Sheriff.

LXXXIV. If ſuch an Offender before Conviction, upon a Sunday or ſome Feſtival day, repair to Church, and there hear Divine Service, and before the Goſpel make the Confeſſion following, he ſhall be diſcharged of the Penalties inflicted by this Act.

The Confeſſion is this.

LXXXV. *I A. B. do humbly confeſs and acknowledge that I have grievouſly offended God, in contemning her Majeſties godly and lawful Government and Authority, by abſenting my ſelf from Church, and from hearing Divine Service, contrary to the godly Laws and Statutes of this Realm, and I am heartily ſorry for the ſame; and do acknowledge and teſtifie in my conſcience, that the Biſhop and See of* Rome *hath not, nor ought to have any Power or Authority over her Majeſty, within any of her Majeſties Realms or Dominions: And I do promiſe and proteſt without diſſimulation, that from henceforth I will from time to time obey and perform her Majeſties Laws and Statutes, in repairing to the Church, and hearing Divine Service, and do my uttermoſt endeavour to maintain and defend the ſame.*

LXXXVI. The Miniſter of the Pariſh where ſuch ſubmiſſion is made, ſhall preſently enter the ſame in a Book, and within 10 days after certifie it to the Biſhop of the Dioceſs.

LXXXVII. The Offender that after ſuch ſubmiſſion falleth into a relapſe, ſhall take no benefit thereby.

LXXXVIII. Every Married Woman ſhall be bound by this Act, ſave only by the Clauſe of Abjuration.

LXXXIX.

LXXXIX. Stat. 1 *Jac.* 1. A Recognition, that upon Queen *Elizabeths* death the Crown of *England*, and all the Kingdoms, Dominions and Rights belonging to the ſame, did by lawful Birthright and Succeſſion deſcend to King *James*.

XC. Stat. 1 *Jac.* 4. All the foreſaid Statutes made in the time of Queen *Elizabeth*, ſhall be duly put in execution againſt all ſuch as do not conform themſelves as aforeſaid.

XCI. Where the Anceſtor dies a Recuſant, the Heir being none, or conforming himſelf, and taking the Oath of Supemacy before the Archbiſhop or Biſhop of the Dioceſs, the Land ſhall be freed from all Penalties.

XCII. If an Heir (within age) after he ſhall have accompliſhed the age of 16 years, doth ſtill continue a Recuſant, his Lands ſhall not be freed until he do conform, and take the Oath of Supremacy, as aforeſaid.

XCIII. A third part of every Recuſants Lands ſhall remain clear unto him from Seiſure or Extent, and the other two parts ſhall remain in the Kings hands, (both before and after the Recuſants death) until the King ſhall be fully ſatisfied all the Arrearages for 20 *l.* a month, according to 23 *Eliz.* 1.

* XCIV. None ſhall ſend any Child or other Perſon under their Government beyond the Seas, to be Inſtructed in the Popiſh Religion, in pain of 100 *l.* and they which are ſo ſent ſhall be incapable (as to themſelves only) of any Grant or Inheritance due unto them, or to others for their uſe.

* XCV. If a Woman or Child under the age of 21 years be ſuffered to paſs the Seas without Licence of the King, or of ſix of the Privy Council under their Hands, (except Sailers, Ship-boys, or Merchants Factors or Apprentices) the Officers of the Ports ſhall forfeit their Offices and all their Goods, the Owner of the Ship his Ship and Tackle, and every Maſter or Mariner of or in the Ship all their Goods, and alſo ſuffer a years Impriſonment without Bail.

* XCVI. None out of the Univerſities ſhall keep School, except a Free-School, or in ſome perſons Houſe that is no Recuſant, or by Licence of the Biſhop or Ordinary, in pain to forfeit 40 *s.* a day.

XCVII. The forfeitures of this Act ſhall be divided betwixt the King and the Proſecutor.

* XCVIII. Stat. 3 *Jac.* 4. A Recuſant that conforms ſhall within one year after, and ſo once every year (at leaſt,) receive the bleſſed Sacrament; in pain to forfeit for the firſt year 20 *l.* for the ſecond 40 *l.* and for every default after 60 *l.* And if after he hath received it, he make default therein by the ſpace of a whole year, he ſhall forfeit 60 *l.*

XCIX. Theſe Forfeitures may be recovered before Juſtices of Peace in Seſſions, or in any other Court of Record, and are to be divided betwixt the King and the Proſecutor.

C. The Churchwardens and Conſtables of every Pariſh, or one of them, or (if there be none ſuch, then) the High Conſtable of

the Hundred there, ſhall preſent once every year at the general Seſſions of Peace, the monthly abſence from Church of every Popiſh Recuſant, and their Children being above the age of nine years, and their Servants, together with the age of their Children, as near as they can know them; in pain to forfeit reſpectively for every ſuch default 20 *s.* Which Preſentment the Clerk of the Peace or Town-Clerk ſhall Record without Fee, in pain of 40 *s.*

CI. If upon ſuch Preſentment (being the firſt) the Recuſant be Convicted, the Officer that Preſents him ſhall have 40 *s.* to be Levied by Warrant upon the Recuſants Goods and Eſtate, as the more part of the Juſtices of Peace ſhall think fit.

CII. Juſtices of Aſſiſe, Gaol-delivery and Peace, have power to hear and determine of all Recuſants and Offences, as well for not Receiving the Sacrament according to this Act, as alſo for not coming to Church, according to former Laws; and likewiſe to make Proclamation, that they ſhall render themſelves to the Sheriff or Bailiff of the Liberty where they are, before the next Aſſiſe, Gaol-delivery or Seſſions reſpectively: which if they do not, that Default being Recorded, ſhall be taken for as ſufficient a Conviction of them as a Trial by Verdict.

CIII. Every Offender not repairing to Church as aforeſaid, after their Conviction ſhall pay into the Chequer, in ſuch of the Terms of *Eaſter* and *Michaelmas*, as ſhall happen next after ſuch Conviction, the Sum then due for the Forfeiture of 20 *l.* a month, and yearly after that (in the ſame Terms) according to the rate of 20 *l.* a month; except where the King ſhall be pleaſed to take two third parts of their Lands and Leaſes in lieu thereof, or that they conform themſelves, and come to Church.

CIV. Every Conviction ſhall before the end of the Term next following be certified into the Exchequer, in ſuch convenient certainty, that the Court may thereupon award Proceſs for the Seiſure of all the Offenders Goods, and two parts of his Lands and Leaſes, in caſe the 20 *l.* a month be not paid as aforeſaid.

CV. The King may refuſe 20 *l.* a month, and take two third parts of his Lands and Leaſes; but here he ſhall not include the Recuſants Manſion-Houſe, nor Demiſe his two parts to a Recuſant, or to any other for a Recuſants uſe. And the Kings Leſſee for his two parts ſhall give ſuch Security againſt committing of Waſte as by the Court of Exchequer ſhall be thought ſufficient.

CVI. It ſhall be lawful for the Biſhop of the Dioceſs, or two Juſtices of the Peace (1 *Quor.*) out of Seſſions, to tender the Oath hereafter following to any perſon 18 years old or above, (except Noble-men and Noble-Women) which ſtands Convicted or Indicted of Recuſancy, hath not Received the Sacrament twice in the year next before, or paſſing through the Country, and examined upon Oath, confeſſeth, or (at leaſt) denieth not, that he or ſhe is a Recuſant, or that he or ſhe hath not Received the Sacrament twice in the year next before: which Biſhop or Juſtices ſhall certifie the Name

and

and Dwelling of the perſon ſo taking the ſame Oath at the next Seſſions where the Clerk of the Peace or Town Clerk ſhall Record them.

CVII. If the perſons refuſe to anſwer upon Oath, or to take the Oath aforeſaid tendred unto them, the Biſhop or Juſtice aforeſaid ſhall bind them over to the next Aſſiſe or Seſſions, where if they again refuſe it, they ſhall incur a *Præmunire*, except Women covert, who in that caſe ſhall only ſuffer Impriſonment till they take it.

The Tenor of the Oath is as followeth.

CVIII. *I A. B. do truly and ſincerely acknowledge, profeſs, teſtifie and declare in my conſcience, before God and the world, that our Sovereign Lord King* James *is lawful and rightful King of this Realm, and of all other his Majeſties Dominions and Countreys; and that the Pope, neither of himſelf, nor by any Authority of the Church or See of* Rome, *or by any other means, with any other, hath any Power or Authority to depoſe the King, or to diſpoſe of any of His Majeſties Kingdoms or Dominions, or to Authorize any Foreign Prince to invade or annoy him or his Countreys, or to diſcharge any of his Subjects of their Allegiance or Obedience to his Majeſty, or to give licence or leave to any of them to bear Arms, raiſe tumults, or to offer any violence or hurt to his Majeſties Royal Perſon, State, or Government, or to any of his Majeſties Subjects, within his Majeſties Dominions.*

Alſo I do ſwear from my heart, that notwithſtanding any Declaration or Sentence of Excommunication or Deprivation made or granted, or to be made or granted, by the Pope or his Succeſſors, or by any Authority derived, or pretended to be derived from him or his See, againſt the ſaid King, his Heirs or Succeſſors, or any Abſolution of the ſaid Subjects from their Obedience, I will bear Faith and true Allegiance to his Majeſty, and him and them will defend to the uttermoſt of my power againſt all Conſpiracies and Attempts whatſoever, which ſhall be made againſt his or their perſons, their Crown and Dignity, by reaſon or colour of any ſuch Sentence or Declaration, or otherwiſe; and will do my beſt endeavour to diſcloſe and make known unto his Majeſty, his Heirs and Succeſſors, all Treaſons and traiterous Conſpiracies which I ſhall know or hear of to be againſt him or any of them.

And I do further ſwear, that I do from my heart abhor, deteſt and abjure as impious and heretical, this damnable Doctrine and Poſition, That Princes which be Excommunicated or deprived by the Pope, may be depoſed or murthered by their Subjects, or any other whatſoever.

And I do believe, and in my conſcience am reſolved, that neither the Pope, nor any Perſon whatſoever, hath power to abſolve me of this Oath, or any part thereof, which I acknowledge by good and full Authority to be lawfully miniſtred unto me, and do renounce all Pardons and Diſpenſations to the contrary.

And all theſe things I do plainly and ſincerely acknowledge and ſwear according to the expreſs words by me ſpoken, and according to the plain

and common ſence and underſtanding of the ſame words, without any Equivocation, or mental Evaſion, or ſecret Reſervation whatſoever. And I do make this Recognition and Acknowledgment heartily, willingly and truly, upon the true Faith of a Chriſtian. So God me help.

CIX. Unto this Oath the party taking it, ſhall ſubſcribe his Name or Mark.

CX. No Indictment againſt a Recuſant ſhall be reverſed for lack of form, other than by direct Traverſe to the Point of not coming to Church, or not Receiving the Sacrament, as aforeſaid.

CXI. The party conforming himſelf ſhall from thenceforth be admitted to diſcharge or reverſe an Indictment.

CXII. None ſhall go out of this Realm to Serve any foreign Prince or State, without firſt taking the Oath aforeſaid, in pain to be adjudged a Felon. And if he have born Office amongſt Soldiers before his departure out of the Realm, he ſhall enter into a Bond unto the Kings uſe, with the Condition following, upon like pain of being adjudged a Felon.

The Condition is this.

CXIII. *That if the within bounden &c. ſhall not at any time then after be reconciled to the Pope or See of* Rome, *nor ſhall enter into, nor conſent unto any Practice, Plot or Conſpiracy whatſoever, againſt the Kings Majeſty, his Heirs and Succeſſors, or any his or their Eſtate or Eſtates, Realms or Dominions, but ſhall within convenient time after knowledge thereof had, reveal and diſcloſe to the Kings Majeſty, his Heirs and Succeſſors, or ſome of the Lords of his or their Honourable Privy Council, all ſuch Practices, Plots and Conſpiracies; That then the ſaid Obligation to be void.*

CXIV. None but the Cuſtomer and Controller of a Port, or their Deputies, ſhall have power to take ſuch Bond, or to miniſter the Oath in ſuch caſe: for which Bond they ſhall only take 6 *d.* and nothing for the Oath; and ſhall once every year certifie into the Exchequer every ſuch Bond, in pain of 5 *l.* and every ſuch Oath in pain of 20 *s.*

CXV. To abſolve or withdraw any of the Kings Subjects from their natural Obedience to his Majeſty, to reconcile them to the Pope or See of *Rome*, or to move them to promiſe Obedience to any pretended Authority of the See of *Rome*, or to any other Prince or State, or to be abſolved, withdrawn, reconciled, or to make promiſe as aforeſaid, ſhall be adjudged High Treaſon.

CXVI. This laſt Clauſe ſhall not extend to any reconciled, as aforeſaid, (for and touching the Point of ſo being reconciled only) that ſhall return into this Realm, and within ſix days after, before the Biſhop of the Dioceſs, or two Juſtices of Peace (joyntly or ſeverally) of the County where he ſhall arrive, ſubmit himſelf to

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the King and his Laws, and take the Oath of Supremacy, and alſo the Oath aboveſaid; which ſaid Oaths the ſaid Biſhops and Juſtices reſpectively ſhall by this Act have power to miniſter to ſuch perſons, and ſhall certifie them in at the next General Seſſions, in pain of 40 *l.*

CXVII. Here the Trial of Treaſon ſhall be before Juſtices of Aſſiſe and Gaol-delivery of that County for the time being, and may alſo be before the Juſtices of the Kings Bench: but Peers in this caſe ſhall be Tried by their Peers.

CXVIII. If any perſon repaireth not every Sunday to ſome Church or Chappel, proof thereof being made to a Juſtice of Peace by the Party's own Confeſſion, or the Evidence of one Witneſs, the ſame Juſtice hath power to call the Party before him: and if the Party give not the Juſtice a good reaſon of his abſence, the Juſtice may give Warrant to the Churchwardens of the Pariſh under his Hand and Seal, to Levy 12 *d.* for every ſuch Default, by Diſtreſs and Sale of Goods: and in default of Diſtreſs, the Juſtice may commit the Offender to Priſon until he pay the Forfeiture aforeſaid, which ſhall be employed for the uſe of the Poor. But this Offence muſt be proſecuted within one month after it is committed; and none puniſhed by this Law ſhall alſo be puniſhed by the Forfeiture of 12 *d.* upon the Statute of 1 *Eliz.* 2. *Which ſet in* Sacraments.

CXIX. None ſhall keep or retain any perſon in their Houſe (Servant or other) which ſhall forbear to come to Church by the ſpace of a month together, in pain to forfeit 10 *l.* for every month they ſo keep them. Howbeit Children may relieve their Father or Mother, and Guardians their Wards or Pupils.

CXX. The Sheriff, upon a lawful Writ, may juſtifie to break an Houſe for the taking of a Recuſant Excommunicate.

CXXI. The Juſtices of the Kings Bench, and Juſtices of Aſſiſe and Gaol-delivery, may hear and determine all the Offences committed againſt this Act, and ſo may Juſtices of Peace, all ſave Treaſon.

CXXII. The Offences made Felony by this Act ſhall not cauſe loſs of Dower, corruption of Blood, or diſheriſon of Heirs.

CXXIII. Here, if an Action ſhall be brought againſt an Officer for the execution of this Act, he may Plead the General Iſſue, and yet give ſpecial matter in Evidence.

CXXIV. This Act ſhall not abridge the Juriſdiction of Eccleſiaſtical Cenſures.

CXXV. None ſhall be puniſhed for his Wifes Offence; neither ſhall any Married Woman be chargeable with any Penalty or Forfeiture by force of this Act.

CXXVI. Six of the Privy Council (whereof the Lord-Chancellor, Lord-Treaſurer, or Principal Secretary, ſhall be one) have power to miniſter the Oaths aboveſaid to Noble-men (being 18 years old) and to Noble-women alſo of the like age, and unmarried,

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who ſhall take the ſame Oaths accordingly, in pain to incur a *Præmunire. Vide infra.*

CXXVII. The Warden of the Cinque-Ports, or ſome authoriſed by him, ſhall take the Bond and miniſter the Oath aforeſaid where any perſon paſſeth beyond Sea out of them or any of their Members.

CXXVIII. Stat. 3. *Jac.* 1. *cap.* 5. The perſon that within three days notice ſhall diſcover to a Juſtice of Peace any that entertains a Popiſh Prieſt, or any which have heard or ſaid Maſs, ſhall have a third part of the Forfeiture due for the ſame Offences, if the whole exceed not 150 *l.* and then only 50 *l.* thereof, to be delivered unto him by the Sheriff, or other Officer which ſhall have power to levy the ſame.

CXXIX. No Convicted Recuſant ſhall come into the Court without Command from the King, or Warrant from the Privy Council under their Hands, in pain of 100 *l.* to be divided betwixt the King and the Diſcoverer.

CXXX. A Popiſh Recuſant Convicted or Indicted, or any perſon not coming to Church by the ſpace of three months together, which remains in *London*, or within 10 miles diſtance thereof, ſhall within 10 days after ſuch Conviction or Indictment depart from thence, and alſo ſhall deliver their Names (in *London*) to the Lord Mayor there, and (in the County) to the next Juſtice of Peace, in pain of an 100 *l.* to be divided betwixt the King and the Proſecutor. Howbeit this Clauſe ſhall not extend to Tradeſmen, or ſuch as have no other Habitation than in *London*, or within 10 miles diſtance, as aforeſaid.

CXXXI. It ſhall be lawful for a Recuſant to go about his neceſſary occaſions, as far as a Licence (obtained from the King, or from three of the Privy Council, under their Hands, or four of the next Juſtices of Peace, under their Hands and Seals, with the aſſent in Writing of the Biſhop, Lieutenant or Deputy-Lieutenant of the ſame County) ſhall give him leave, notwithſtanding the Statute of 35 *Eliz.* 2. Which Licence ſhall not be granted by the ſaid Juſtices, till the Party hath made Oath of the true reaſon of his Journey, and that he will make no cauſeleſs ſtays.

CXXXII. No Convicted Recuſant ſhall Practiſe the Common Law, Civil Law, Phyſick, or Art of Apothecary, or be an Officer of or in any Court, or bear any Office amongſt Souldiers, or in a Ship, Caſtle or Fortreſs, in pain of an 100 *l.* to be divided betwixt the King and the Proſecutor.

CXXXIII. No Popiſh Recuſant Convict, or whoſe Wife is a Popiſh Recuſant Convict, ſhall exerciſe any publick Office in the Commonwealth by himſelf or his Deputy, unleſs he bring up his Children in the true Religion, and together with his Children and Servants repair to the Church, and receive the Sacrament at ſuch times as by the Law are limited,

CXXXIV. A married Woman, being a Popiſh Recuſant Convict,

(her

ſher Huſband being none) that doth not conform her ſelf as aforeſaid, by the ſpace of one whole year before her Husbands death, ſhall forfeit two third parts of her Dower or Joynture, and ſhall be incapable of being Executrix or Adminiſtratrix to her Huſband, and of enjoying any part of her Huſbands Goods.

CXXXV. A Popiſh Recuſant after Conviction, ſhall be reputed to all intents as a perſon Excommunicate, until he ſhall conform, go to Church, receive the Sacrament, and take the Oath of Obedience Ordained by 3 *Jac.* 4. Howbeit, he may ſue for his Intereſt in Lands not ſeized into the Kings hands.

CXXXVI. A Popiſh Recuſant Convict, which is married otherwiſe than in open Church, and by a lawful Miniſter, according to the Orders of the Church of *England*, ſhall not be Tenant by the Courteſie; and a Woman alſo (in this caſe) ſhall be diſabled to enjoy her Dower, Joynture, Widows Eſtate, or any of her Huſbands Goods: And where a man cannot be Tenant by the Courteſie, he ſhall forfeit 100 *l.* to be divided betwixt the King and the Proſecutor.

CXXXVII. Every Popiſh Recuſant ſhall within one month after the birth of his Child, cauſe it to be Baptized by a lawful Miniſter, in pain to forfeit 100 *l.* if he out-live the Month; if not, then his Wife is to pay the ſame Forfeiture; which ſhall be divided into three parts, whereof the King ſhall have one, the Proſecutor another, and the Poor of the Pariſh the third.

CXXXVIII. Every Popiſh Recuſant ſhall be buried in the Church or Church-yard, and according to the Eccleſiaſtical Laws of this Realm, in pain that his Executor, Adminiſtrator, or the Party that cauſed him to be otherwiſe buried, ſhall forfeit 20 *l.* to be divided into three parts, and diſpoſed as aforeſaid.

CXXXIX. A Child (being no Souldier, Mariner, Merchant or Apprentice, or Factor to a Merchant) ſhall not be ſent or go beyond Sea without Licence of the King, or ſix of the Privy Council, (whereof the Principal Secretary ſhall be one) in pain to be thereby incapable to enjoy any Lands or Goods by Deſcent or Grant, until (being 18 years of age, or above) he take the ſaid Oath of Obedience before ſome Juſtice of Peace of the County where his Parents do or did dwell. And in the mean time, the next of his Kin (being no Popiſh Recuſant) ſhall enjoy the Lands and Goods; but ſhall be accountable to the other, in caſe he after conform himſelf, as aforeſaid. And he that ſo goes out of the Kingdom without Licence, ſhall forfeit 100 *l.* to be divided and employed as aforeſaid.

CXL. A Popiſh Recuſant Convict ſhall be diſabled to Preſent to a Benefice; but in ſtead of him, the Chancellor and Scholars of the Univerſities of *Oxford* and *Cambridge*, ſhall Preſent within ſeveral Counties reſpectively. *For which ſee the Statute at large.* Howbeit they ſhall not confer it upon a Man already Beneficed.

CXLI. A Popiſh Recuſant Convict ſhall not be an Executor, Adminiſtrator, or Guardian; but the next of Kin (being no Recuſant,

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and unto whom the Land cannot lawfully deſcend) ſhall have the Wardſhip and Tuition of an Heir or Orphan in that caſe.

CXLII. A Grant of the Kings Ward to a Popiſh Recuſant Convict ſhall be void.

CXLIII. None ſhall bring from beyond Sea, Print, ſell or buy any Popiſh Primmers, Ladys Pſalters, Manuals, Roſaries, Popiſh Catechiſms, Miſſals, Breviaries, Portals, Legends of Lives of Saints, in what Language ſoever they ſhall be Printed or Written, nor any other ſuperſtitious Books, Printed or Written in the *Engliſh* Tongue, in pain to forfeit 40 *s.* for every ſuch Book, to be divided into three parts, and employed as aforeſaid.

CXLIV. Two Juſtices of Peace, and all Mayors, Bailiffs, and Head-Officers, have power to ſearch the Houſes and Lodgings of Popiſh Recuſants Convict, and of every perſon whoſe Wife is a Popiſh Recuſant Convict, for Popiſh Books and Reliques, and to burn and deface ſuch as they ſhall find in their cuſtody; but ſuch as are of value ſhall be defaced in open Seſſions, and afterward reſtored to the Owner.

CXLV. All the Armour, Gunpowder and Munition of a Popiſh Recuſant Convict, ſhall be taken from him by Warrant from four Juſtices of Peace at the General Seſſions, (other than ſuch Weapons as ſhall be allowed unto him by the ſaid Juſtices;) which ſaid Armour and Munition ſhall be kept at the coſt of ſuch Recuſant in ſuch places where the ſaid Juſtices ſhall appoint, and ſhewed at every Muſter, as his Arms, together with his Horſe, which he ſhall buy, provide and maintain for that purpoſe, according to his ability, as other Subjects do. And here, the Recuſant that refuſeth to declare what Armour and Munition he hath, or to deliver it to ſuch perſons as ſhall have power to ſeiſe it, ſhall forfeit the ſame to the King, and beſides, ſhall, upon Warrant from any Juſtice of Peace of that County, be Impriſoned by the ſpace of three months without Bail.

CXLVI. This Act ſhall not abridge Eccleſiaſtical Cenſures.

CXLVII. Stat. 7 *Jac.* 1. 2. No perſon of the age of 18 years or above, ſhall be naturalized or reſtored to Bloud, unleſs he have received the Lords Super within a month before his Bill was exhibited, and alſo do take (before the Bill be twice Read) the Oaths of Supremacy and Allegiance, to be miniſtred unto him (in the Houſe of Lords) by the Lord Chancellor or Keeper, and (in the Commons Houſe) by the Speaker.

* CXLVIII. Stat. 7 *Jac.* 1. *c.* 6. Who ſhall take the Oath of Obedience, (or Allegiance) by whom it ſhall be miniſtred, and within what time.

CXLIX. It ſhall be lawful for any of the Privy Council, or any Biſhop within his Dioceſs, to require a Baron or Baroneſs of 18 years of age, or above, to take the ſaid Oath: and likewiſe for any two Juſtices of Peace, (1 *Quor.*) to require any perſon of the age aforeſaid, or above, and under the Degrees aforeſaid, to take the ſame Oath.

CL. If

CL. If any Baron or Baroneſs ſtand Preſented, Indicted or Convicted for Recuſancy, three of the Privy Council (whereof the Lord-Chancellor, Treaſurer, Privy Seal, or the Principal Secretary, ſhall be one) ſhall miniſter unto them the ſaid Oath: but if it be any other Convicted perſon under thoſe Degrees, or if the Miniſter, petty Conſtables, or Churchwardens of any Pariſh, or any two of them, ſhall complain to any Juſtice of Peace of any perſon ſuſpected for Recuſancy; then any ſuch Juſtice may, in either of the ſaid caſes, miniſter the ſaid Oath, and upon refuſal ſhall commit the party to Priſon, there to remain until the next Aſſiſe or Seſſions, where if he or ſhe again refuſe to take it, they ſhall incur a *Præmunire*; except Women Covert, who ſhall only be Impriſoned, and there remain without Bail, until they ſhall take the ſaid Oath.

CLI. None refuſing the ſaid Oath ſhall be capable of any Office of Judicature, or of other Office (being no Office of Inheritance or Miniſterial Function,) or to Practiſe the Common Law, Phyſick, Chirurgery, the Art of Apothecary, or any Liberal Science, for gain.

CLII. If a married Woman, being a Convicted Recuſant, do not conform within three months after Conviction, ſhe ſhall be committed to Priſon by a Privy Councellor, or the Biſhop of the Dioceſs, if ſhe be a Baroneſs: but if any other of a lower Degree, then ſhall ſhe be committed by two Juſtices of Peace, (1 *Qu.*) and there ſhall remain until ſhe conform as aforeſaid; unleſs the Huſband for the Wifes Offence will pay unto the King 10 *l.* for every month, or yield the third part of all his Lands, at the choice of the ſaid Huſband.

CLIII. None ſhall go himſelf, or ſend any perſon whatſoever, beyond Sea, to be Trained up in Popery, or any maintenance or relief to the party ſo ſent, or to any School or Religious Houſe there, in pain (after Conviction thereof) to be adjudged unable to proſecute any Suit in any Court of Equity, to be Committee of any Ward, Executor or Adminiſtrator, to be uncapable of any Legacy or Deed of Gift, or of bearing Office within this Realm; and beſides, to forfeit all his Goods and Chattels, and his Lands alſo during life. But if he conform within ſix weeks after his return, according to the Statutes in that caſe provided, he ſhall not incur the Penalties aboveſaid.

CLIV. Theſe Offences ſhall be heard and determined by the Juſtices of the Kings Bench, Aſſiſe, Gaol-delivery, and *Oyer* and *Terminer*, of ſuch Counties where the Offenders did laſt dwell, or whence they departed, or where they ſhall be taken.

CLV. For Uuiformity of Common-Prayer: *See Title* Service *and* Sacraments.

* CLVI. Stat. 3 *Car.* 1.2. The Statute of 1 *Jac.* 4. ſhall be duly put in execution: and none of the Kings Subjects ſhall paſs or go, or ſhall convey or ſend, or cauſe to be conveyed or ſent, any Child, or other perſon, out of any of the Kings Dominions, into any Parts beyond the Seas out of the Kings Obedience, to the intent to be reſident or trained up in any Popiſh Society, School or Family, or to

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be there Inſtructed in the Popiſh Religion, in any ſort to profeſs the ſame: neither ſhall any convey, or cauſe to be conveyed, any money, or other thing towards the maintenance of any ſuch Child or Perſon already gone or ſent, or to go or be ſent, and Trained and Inſtructed as aforeſaid; or (under the name of Charity) towards the relief of any ſuch Society or Religious Houſe; upon pain (after Conviction in any of the aforeſaid caſes) to be diſabled to ſue, or uſe any Action, Bill, Plaint or Information in courſe of Law, or to proſecute any Suit in Equity, or to be Committee of any Ward, or Executor or Adminiſtrator to any perſon, or capable of any Legacy or Deed of Gift, or to bear Office within the Realm, and to forfeit all his Goods and Chattels, and alſo his Lands, Rents and Annuities, and Offices during his life.

CLVII. Howbeit, no perſon ſent or conveyed as aforeſaid, who ſhall within ſix weeks after his return, conform himſelf to the preſent Religion here Eſtabliſhed, and receive the Sacrament of the Lords Supper, ſhall incur any of the Penalties aforeſaid.

CLVIII. Juſtices of the Kings Bench, Aſſiſe, Gaol delivery, and *Oyer* and *Terminer*, have power ro hear and determine theſe Offences in ſuch Counties where ſuch Offenders did laſt dwell, or whence they departed, or where they are taken.

CLXIX. Stat. 16, 17 *Car.* 1. 11. The Branch of the Stat. of 1 *El.* 1. which gave power by Commiſſion under the Great Seal to Exerciſe Eccleſiaſtical Juriſdiction (*and whereupon the Authority of the High-Commiſſion-Court was founded*) is Repealed.

CLX. No new Court, which may have the like power that the High Commiſſion pretended to have, ſhall be hereafter erected; but all ſuch Juriſdictions, and all Acts, Sentences and Decrees, made by colour thereof, ſhall be utterly void and of none effect.

CLXI. Stat. 13 *Car.* 2. *cap.* 12. The Stat. of 17 *Car.* 1. *cap.* 11. Repealed, except what concerns the High Commiſſion Court, or the new erecting of ſome ſuch Court by Commiſſion: and the Eccleſiaſtical Juriſdiction reſtored, as it was by Law before the year 1639.

CLXII. It ſhall not be lawful for any perſon Exerciſing Spiritual or Eccleſiaſtical Juriſdiction, to tender the Oath *Ex Officio*, or any Oath whereby the perſons to whom, *&c.* may be compelled to confeſs, or to accuſe or purge themſelves of any criminal thing.

Cui in vita.

I. Weſt. 2. 3. 13 *E.* 2. A Writ of *Entry* (called *Cui in vita*) is given to the Wife for the recovery of her Land loſt by the default of the Husband in his life-time: and in his life-time alſo ſhe ſhall be admitted to defend her Right, if ſhe come in before Judgment.

II. The like Priviledge is given to the Reverſioner, where the Tenant in Dower, by the Courteſie, for life, or by Gift, doth loſe by default, or will yield up the Land,

☞ Cuſtoms, Cuſtomers, and Controllers.

I. Stat. 14 *E.* 3. 21. A Mark ſhall be the Cuſtom of a Sack of Wooll and of Wooll-fells, and Leather the old Cuſtom.

II. A Sack of Wooll ſhall contain 26 Stone, and each Stone 14 Pounds: and for every Sack of Wooll Exported, four Nobles worth of Silver Plate ſhall be Imported, and brought to the Kings Exchange, where the party ſhall receive his Money for his Plate.

III. Woolls ſhall not be Cocqueted but in the Name of the right Owner, in pain to forfeit the ſame.

IV. Stat. 14 *R.* 2. 10. No Cuſtomer or Controller ſhall have any Ships of his own, nor meddle with the Freight of Ships.

V. Stat. 4 *H.* 4. 20. Every Cuſtomer upon his Account ſhall be ſworn to render a true Account to the King.

VI. Stat. 11 *H.* 4. 2. None that holdeth a common Hoſtery ſhall be a Cuſtomer, Finder or Searcher.

VII. Stat. 3 *H.* 6. 3. No Cuſtomer, Collector, or Controller ſhall conceal Cuſtoms duly entred and paid, in pain to forfeit the treble value of Merchandize ſo Cuſtomed, and to make Fine and Ranſom to the King; of which Penalties the Proſecutor ſhall have a third part.

VIII. Stat. 11 *H.* 6. 15. Every Cuſtomer and Controller ſhall deliver to the Merchant a Warrant (under the Seal of their Office) of the Merchandize to them ſhewed, without Fee, in pain to be ſubject to be ſued by the Merchant, and to forfeit for every ſuch default, 10 *l.* to the King, and 5 *l.* to the Merchant.

IX. Stat. 20 *H.* 6. 4. Merchant Denizens that Tranſport any Wooll, Wooll-fells, or Tin, to any other place then the Staple, ſhall pay ſuch Cuſtom and other Duties for the ſame as Merchants Aliens pay.

X. This Statute ſhall not prohibit ſuch as have the Kings Licence to Tranſport thoſe Commodities to other places than *Calice*, where (it ſeems) the Staple then was.

XI. Stat. 20 *H.* 6. 5. No Cuſtomer, Controller, Searcher, Surveyor of Searchers, or their Clerks, Deputies, Miniſters, Factors or Servants, ſhall have any Ship of their own, uſe Merchandize, keep a Wharf, Inn or Tavern, or be a Factor, Attorney, or Hoſt to a Merchant, in pain of 40 *l.* to be divided betwixt the King and the Proſecutor.

XII. Stat. 1 *H.* 7. 2. Aliens made Denizens ſhall pay ſuch Cuſtoms and Subſidies as they did before they were made Denizens.

XIII. Stat. 3 *H.* 7. 7. Every Merchant that Importing any Goods into this Realm, Entring the ſame with the Cuſtomer of the Port where he Lands, and paying there all Duties, is minded to Tranſport them to ſome other Port, ſhall obtain a Certificate under the Cuſtomers Seals, expreſſing the nature, colour, length, value, content or weight of ſuch Goods, to be directed and delivered to

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the Customers of the Port where they are to be conveyed, before they be discharged, in pain to forfeit the said Goods, to be divided betwixt the King and the Prosecutor. And the Customers are to make a true Certificate thereof in pain to forfeit their Offices, and make Fine at the Kings pleasure.

XIV. No Merchant, Denizen or Stranger, shall make Entry of any Goods in the Customers Books, but only in the Name of the right Owner, in pain to forfeit the same, suffer Imprisonment, and make Fine at the Kings pleasure.

XV. None shall take upon him to be a Customer, Controller or Searcher, in any City, Borough or Town, while he is a common Officer, or Depury to a common Officer there, in pain to forfeit 40 *l.* for every 6 months he so executes them together, to be divided betwixt the King and the Prosecutor.

XVI. Stat. 11 *H.* 7. 6. The Custom and Subsidy of all Woollen Clothes to be carried beyond Sea, whersoever they were Packed, shall be paid to the Customers of the Port where they shall be Shipped, or to their Deputies.

XVII. Stat. 11 *H.* 7. 14. Merchants Strangers, though made Denizens, shall pay such Customs and Subsidies as they should have Paid if they had not been made Denizens.

XVIII. Stat. 1 *H.* 8. 5. The Branch of the Statute of 3 *H.* 7. 7. concerning the Entry of Goods in anothers Name, is Repealed, because it seemed to extend as well to *English*-men as Strangers.

XIX. Any *English*-man, and other Subject of the Kings, may Custom in his own Name the Goods of another *English*-man or Subject.

XX. Every Merchant-stranger may Custom in his own Name the Goods of another Merchant-stranger; so that such Merchant-stranger, and also the Owner of the Goods, be charged with like Custom.

XXI. He that so Customs Goods that the King thereby loseth his Custom or other Duties, shall forfeit the Goods to the King, and as much to the party grieved as the Goods are worth.

XXII. None free of the Prizage or Butlerage of Wine shall Custom any Wines of another not free thereof, in pain to forfeit the double value of the Wines so Customed.

XXIII. An Action of Debt is given to the party grieved against him that Customs Goods in his own Name, when they are another Mans, to recover the value of the Goods so Customed.

XXIV. Stat. 4 *H.* 8. 6. No Collector or Controller of the Subsidy of Cloth of Gold, Silver, Baudekin, Velvet, Damask, Sattin, Sarsenet, Tartron, Chamlet, or other Cloth of Silk, shall take any thing for Sealing the same, in pain to forfeit 20 *l.* for every time.

XXV. The Collector or Controller shall not delay the Merchant in Sealing such Merchandize, in pain of 40 *s.* to be divided betwixt the King and the Merchant grieved.

XXVI. Stat. 2, 3 *E.* 6. 22. If any offend contrary to the Stat. of 1 *H.* 8. 5. they shall forfeit all their Goods and Chattels, to be divided

divided betwixt the King and the Profecutor, if the Action be profecuted within three years.

XXVII. Stat. 12 *Car.* 2. *cap.* 4. Granted to the King for his life, one Subſidy called Tunnage, *viz.* of every Tun of Wine of the growth of any the Dominions of the *French* King, brought by way of Merchandiſe into the Port of *London*, by natural born Subjects 4 *l.* 10 *s.* by Strangers and Aliens 6 *l.* Of every Tun of the like Wine brought by way of Merchandiſe into other places of this Kingdom by natural born Subjects, 3 *l.* by Alien 4 *l.* 10 *s.* Of every Pipe of ſweet Wines brought into the Port of *London* by natural born Subjects, 45 *s.* by Strangers and Aliens, 3 *l.* Of every Pipe of the like Wine brought into any other places of this Kingdom by natural born Subjects, 30 *s.* by Strangers and Aliens, 45 *s.* and of every Awme of Rheniſh Wine, or Wine of the growth of *Germany*, brought into this Realm, and the Dominions thereof, by natural born Subjects, 20 *s.* by Aliens 25 *s.*

XXVIII. Granted alſo Poundage, *viz.* of all Merchandiſe to be carried out of this Realm, or any the Kings Dominions to the ſame belonging, or to be brought into the ſame of the value of every 20 *s.* 12 *d.* and of every 20 *s.* value of the native Commodities of this Realm, or Manufactures wrought of them to be carried out by Aliens, 12 *d.* more. Except out of this Grant Woollen Cloths made in *England*, commonly called old Draperies, and Wines paying Tunnage, Fiſh *Engliſh* taken, and brought in by *Engliſh* Bottoms, and all freſh Fiſh and Beſtial that ſhall come into this Realm, and all Goods mentioned in the Book of Rates, to be Cuſtom-free.

XXIX. Granted likewiſe for every ſhort Woollen Cloth, called Broad Cloth not exceeding 28 yards in length, and 64 pounds in weight, and of every other ſhort Cloth of old Draperyof leſſer length and weight, accounting ſo many pieces to a ſhort Cloth as is limited by the Book of Rates, to be Exported by natural born Subjects 3 *s.* and 4 *d.* by Aliens 6 *s.* and 8 *d.* and ſo proportionably.

XXX. Goods put into any Boat or Veſſel to be carried beyond Sea, or brought from beyond Sea, and unſhipped to be laid on Land, the Duties aforeſaid not being paid, or tendred to the Collector, or his Deputy, with conſent of the Controller or Surveyor, nor agreed for in the Cuſtom-houſe, ſhall be forfeit, the one half to the King, the other for him that will ſeiſe or ſue for them.

XXXI. If a Denizens Goods be taken at Sea or periſhed, whereof the Duties aforeſaid ſhall be paid, or, *&c.* and that proved before the Lord Treaſurer of *England*, Commiſſioners of the Treaſury, or Chief Baron of the Exchequer by examination of the Merchant or his Executors, or two Witneſſes at leaſt ſworn, or other reaſonable Witneſſes and Proof ſworn; the Merchant, his Executors, *&c.* may Ship in the ſame Port ſo much other Merchandiſe as the Goods loſt ſhall amount to in Cuſtom, without paying any thing: So as the Proof be Recorded and allowed in the Exchequer, and certified to the Collectors of the Cuſtoms.

XXXII. Denizens that Ship in Carracks or Galleys, ſhall pay as Aliens.

XXXIII. Herring and other Sea-fiſh may be Tranſported in Veſſels of the Subjects of this Realm, without paying any thing.

XXXIV. Becauſe no Rates can be impoſed on Merchandize but by common conſent in Parliament, the Rates intended by this Act ſhall be the Rates mentioned in the Book of Rates.

XXXV. Cuſtomers and Collectors ſhall take no other Fees than were taken 4 *Jac.* where the Goods Exported or Imported amount to 5 *l.* pound value or more.

XXXVI. Over and above the Rates above mentioned there ſhall be paid of every Tun of Wine of the growth of *France*, *Germany*, *Portugal*, *Madera*, 3 *l.* and of every Tun of other Wines 4 *l.* within nine months after the Importing: for which Security ſhall be given. And if any of the ſaid Wines be Exported within 12 months after their Importation, the Duty ſhall be returned, or Security Diſcharged for ſo much. The Importer ſhall be allowed after the Rate of 10 *per cent.* for ready money.

XXXVII. Wines Imported ſhall be free from Exciſe.

XXXVIII. Prize-Wines ſhall not be charged with any payment by this Act, Confirmed. 13 *Car.* 2. *cap.* 7.

XXXIX. Stat. 1. *Jac.* 2. *cap.* 1. The aforeſaid Duty of Tunnage and Poundage ſhall be Levied, Collected and Paid to the ſaid King *James* the Second, during his life: and the aforeſaid Act (of 12 *Car.* 2. *cap.* 4.) and an Order of the Commons in Parliament, made in purſuance of the Rules and Orders annexed to the ſaid Act of Tunnage and Poundage, for ſettling of Officers Fees, dated 17 *May* 1662. and Signed by Sir *Edward Turner* then Speaker, ſhall be in force during the life of King *James* the Second.

XL. Stat. 12 *Car.* 2. *cap.* 19. If any perſons cauſe any Good to be Landed, for which Duties are payable by vertue of the foregoing Act, or to be conveyed away without Entry thereof made, and the Cuſtomer or Collector, *&c.* agreed with, upon Oath thereof before the Lord Treaſurer, any of the Barons of the Exchequer, or chief Magiſtrate of the place where, *&c.* or place next adjoyning, the Lord Treaſurer, or, *&c.* may iſſue a Warrant to any perſon or perſons, with the aſſiſtance of a Sheriff, Juſtice of Peace or Conſtable, to enter in the day-time, and in caſe of reſiſtance, to break open Houſes where ſuch Goods are ſuſpected to be concealed, and ſeize them. All Miniſters of Juſtice are required to be aſſiſting.

XLI. No Houſe ſhall be entred by vertue of this Act, but within a month after the Offence ſuppoſed to be committed.

XLII. If the Information whereupon any Houſe ſhall be ſearched prove falſe, the party injured ſhall recover full Damages and Coſts againſt the Informer in an Action of Treſpaſs.

XLIII. This Act ſhall continue but to the end of the firſt Seſſions of the next Parliament, Confirmed 13 *Car.* 2. *cap.* 7.

XLIV.

XLIV. Stat. 1. *Jac.* 2. *cap.* 1. The laſt mentioned Act continued during the Life of King *James* the Second.

XLV. Stat. 13 & 14 *Car.* 2. *cap.* 11. No Veſſel arriving from beyond Sea, ſhall be above three days coming from *Graveſend* to the place of her diſcharge in the *Thames*, without touching at any place between *Graveſend* and *Cheſters* Key, (except by reaſon of ſome juſt Impediment to be allowed by ſome principal Officers of the Cuſtoms) and then or before the Maſter and Purſer ſhall make true Entry upon Oath of the Lading, with the Marks, Qualities, *&c.* of every parcel of Goods, and where ſhe took in her Lading, of what Country built, how Manned, who was Maſter and Owners: and in out-Ports to come directly to the place of Unlading, and make Entries, *&c.* on the penalty of 100 *l.*

XLVI. No perſons taking charge of any Veſſel outward bound, having Commiſſion from or belonging to the King of *England*, or any Forein Prince or State, or otherwiſe, ſhall take in any *Engliſh* Goods, till he have entred ſuch Veſſel in the Book of the Commiſſioners, Cuſtomer and Controller outwards of the Port, where, *&c.* the Name of the Captain or Maſter, burthen of the Veſſel, number of the Guns and Ammunition, and to what Port ſhe intends; and before they depart, they ſhall bring to ſuch Cuſtomer, *&c.* a Content under their Hand of the Names of every Lader, with the Marks and Numbers of the Goods, and ſhall in the open Cuſtom-houſe upon Oath to the beſt of their knowledge anſwer the Queſtions to be demanded by perſons appointed to manage the Cuſtoms, *&c.* concerning ſuch Goods, on pain to forfeit 100 *l.*

XLVII. And no ſuch Captain, Maſter, or other taking charge of any Veſſel of War, wherein Goods have been brought from beyond Sea, or out of *Scotland*, ſhall put into any Boat, or lay on Land any Goods before he have ſignified in Writing to the Cuſtomer and Controller inwards, the Laders Names, Number, Marks, Quantity and Quality of every Parcel of Goods, and have anſwered upon Oath to ſuch Queſtions as ſhall be Adminiſtred in the open Cuſtom-houſe by, *&c.* and ſuch Veſſels ſhall be liable to all Searches and other Rules, that Merchants Ships are, (Victualling Bills and Entring excepted) on pain to forfeit 100 *l.* and upon refuſal to make ſuch Entries outward or inward, the ſaid Cuſtomers, *&c.* may Enter ſuch Veſſel, and bring into the Kings Store-houſe all Goods prohibited and uncuſtomed.

XLVIII. Officers of the Cuſtoms may enter any Veſſel, and bring on Shore all Goods prohibited and uncuſtomed, except Jewels, if outward bound; and if inward bound, may bring into the Kings Store-houſe all Goods found in any ſmall package or ſecret place in or out of the Hold: and all Goods for which the Duties of Tunnage and Poundage were not paid or compounded for within 20 days after the firſt Entry of the Ship, there to remain till the Kings Duty is ſatisfied, unleſs they ſee cauſe to allow a longer time, If any Maſter, Purſer, *&c.* ſuffer any Package to be opened, and the Goods im-

bezelled or put into any other Package after the Ship comes into Port, he ſhall forfeit 100 *l.*

XLIX. If any concealed Goods are found after clearing, for which the Duties due upon Importation have not been paid, the Maſter or other taking charge of ſuch Veſſel, ſhall forfeit 100 *l.* And any perſon authorized by Writ of Aſſiſtance under the Exchequer Seal, may take a Conſtable or other Officer, and enter any Houſe or other place, and in caſe of reſiſtance break open Doors, Trunks, *&c.* and ſeiſe and bring Goods prohibited and uncuſtomed into the Kings Store-houſe.

L. No Foreign built Ship not named in a Liſt to be delivered by the Officers of the Cuſtoms in all Ports to the Collectors and Surveyors of the Port of *London*, before *Decemb.* 1662. ſhall enjoy the priviledge of a Ship belonging to *England* or *Ireland*, except ſuch as ſhall be condemned as Prize. All perſons that ſhall reſiſt, abuſe, beat, *&c.* any of the ſaid Officers or their Deputies in the execution of their Office, ſhall by the next Juſtice of Peace or other Magiſtrate be committed to Priſon, till the next Quarter-Seſſions, to be Fined not exceeding 100 *l.* and to remain in Priſon till diſcharged by Order of the Exchequer, or till they diſcover who ſet them on work.

LI. If Keepers of Wharfs, Keys, Cranes, or their Servants, Land or Ship, or ſuffer to be Landed or Shipt, Goods prohibited, or whereof any Duties are payable, without the preſence of ſome of the Officers of the Cuſtoms, or at times not appointed by Law (except in the Port of *Hull*, as by 1 *Eliz. cap.* 11.) or Goods paſſing by Certificate, Waſte, Cockquett or otherwiſe, without the preſence of, or notice given to an Officer, ſuch Keepers of Wharfs ſhall forfeit 100 *l.* and if any Goods ſhall be laden into any Boat to be carried aboard any Veſſel outwards bound, or taken out of any Veſſel arriving from Forein parts, without a Warrant and preſence of one Officer, ſuch Boat ſhall be forfeited, and the Maſter or other Mariner of any Ship inward bound conſenting thereto, ſhall forfeit the value of ſuch Goods. Perſons aſſiſting in the Landing or Shipping off ſuch Goods, being apprehended by Warrant of a Juſtice of Peace, the Fact being proved by the Oaths of two Witneſſes, for the firſt Offence ſhall be committed to the next Gaol, till they find Sureties to be of good behaviour, till they be diſcharged by the Lord Treaſurer, Chancellor, under-Treaſurer, or Barons of the Exchequer, and for the ſecond Offence be committed for two months, or till they pay 5 *l.* to the Sheriff for the Kings uſe, or till they be diſcharged by the Lord Treaſurer, *&c.* Goods Shipped to be carried to Sea, and Landed at any other place of this Realm, without a Warrant from the Officers of the Cuſtoms, ſhall be forfeited, and the Maſters of Veſſels taking in ſuch Goods, ſhall before the Veſſel be carried out of Port take a Cocquet, and become bound to the King with good Security in the value of the ſaid goods, for delivery thereof in ſome place within the Realm, and to return a Certificate within

in ſix months from the Officers of the Cuſtoms, Signed by ſome appointed to manage the Cuſtoms, or their Deputies where the ſame ſhall be Landed, that ſuch Goods were there diſcharged.

LII. Officers making falſe Certificates of Goods that ſhould have been Landed, ſhall loſe their Employment, and forfeit 50 *l.* and ſuffer one years Impriſonment, and be uncapable of any place of Truſt concerning the Cuſtoms, and liable to ſuch Corporal puniſhment as the Court of Exchequer ſhall thick fit. Perſons counterfeiting, razing or falſifying any Coquet, Certificate, or Return, Tranſire, or other Cuſtom-houſe Warrant, ſhall forfeit 100 *l.* and the Coquet, *&c.* ſhall be void.

LIII. If any Goods for which Subſidy or Cuſtom is payable, ſhall be ſecretly conveyed on Board any Veſſel, and eſcape diſcovery by the Officers of the Cuſtoms, and be carried beyond Sea, the Owners of them, or others that Shipped them ſhall forfeit double their value, computed according to the Book of Rates: except for Coal, which ſo ſecretly Exported, ſhall pay double the Duty, to be Levied as by the Act for Tunnage and Poundage is directed.

LIV. Merchants and others paſſing Goods inwards or outwards, ſhall by themſelves or their Agents ſubſcribe one Bill of every Entry, with the Mark, number and Contents or Weight of the ſaid Goods, without which no Entry ſhall paſs: and no children of Aliens under the Age of 21 years ſhall be Traders, nor Goods Entred in their Names.

LV. In Suits upon any Law concerning Tunnage and Poundage, or Ships or Goods to be forfeited by reaſon of any unlawful Importation or Exportation, there ſhall be no party Jury.

LVI. Merchants and others having Allowances inwards, ſhall upon Oath by themſelves or their Factors, receive the Money due upon Debentures for ſuch Forein Goods Exported by ſuch Certificate, with ſuch Allowances as were made them upon the Importation. And if they Ship out leſs than is expreſſed in their Certificate, the Goods therein mentioned, or their value, ſhall be forfeited, and the Owner receive back no part of the Subſidy for them. And Goods ſo Shipped out, and Landed again within the Realm, unleſs to ſave them from periſhing, ſhall be forfeited, or the value of them, and no Allowance made for them.

LVII. Goods brought out of, or carried into *Scotland* by Land, ſhall be carried through *Berwick* or *Carliſle*, and ſhall there pay the Cuſtom and Subſidy granted by the Act for Tunnage and Poundage, and Goods paſſing the ſaid places without Entry and Payment, ſhall be forfeited.

LVIII. The King may from time to time by Commiſſion out of the Exchequer, appoint places (except the Town of *Hull*) for Diſcharging or Shipping Goods, and to what Ports ſuch places ſhall appertain: and where any ſuch place ſhall be appointed, the Cuſtomer, Collector, Controller and Searcher of the head Port, their Deputy or Deputies ſhall reſide there: and by vertue of the ſaid Commiſ-

ſions, may appoint the Limits of every Port, Haven or Creek. And no Goods ſhall be put into any Veſſel to be Exported (Fiſh taken by the Kings Subjects, Sea-coal, Stone and Beſtials only excepted) or laid on Land, to be Imported (Fiſh taken by the Kings Subjects, Beſtials and Salt only excepted) by way of Merchandiſe, but upon ſuch open place, without leave from the Officers of the Cuſtom, on pain to forfeit all ſuch Goods.

LIX. No Ship or Goods ſhall be ſeiſed as forfeited for unlawful Importation or Exportation, or Non-payment of any Cuſtoms or Subſidies, but by the Officers of the Cuſtoms, or by Wartant from the Lord-Treaſurer, or Under-Treaſurer, or by ſpecial Commiſſion under the Great Seal or Privy Seal, and Seiſures by others ſhall be void.

LX. In every Suit wherein any Officers of the Cuſtoms, or perſons authorized to put in execution the Act of 12 *Car.* 2. *cap.*18. for encouraging Navigation, or others acting in aid of them, ſhall be proſecuted, they may plead the General Iſſue, and give this or the ſaid Act in Evidence.

LXI. If any Officer ſhall proſecute to effect the Ships and Goods by him ſeiſed or informed againſt, the perſons managing the Cuſtoms, or Officers of the Cuſtoms, or others deputed by them, or authorized by the Lord Treaſurer, or Under Treaſurer, may make ſeiſure, or inform againſt ſuch Goods, or bring his Action by *Devenerunt*, and ſhall have the benefit of Informers or Seiſers.

LXII. No Informer or Seiſer ſhall compound under one third of the appraiſed value, upon loſs of his Office.

LXIII. If any employed about the Cuſtoms and Subſidies take any Bribe, or connive at any falſe Entry, they ſhall forfeit an 100 *l.* and be incapable of any Employment under the King, and the perſon giving ſuch Bribe, ſhall forfeit 50 *l.*

LXIV. Perſons offending as aforeſaid that ſhall reveal their Offence in two months time to the Treaſurer of *England*, the Chancellor, Under Treaſurer, or Barons of the Exchequer, ſhall be diſcharged.

LXV. Foreign Goods permitted to be Landed by bills at ſight, *&c.* ſhall be Landed where the Managers of the Cuſtoms, Cuſtomer, Collector or Controller ſhall appoint, and there or in the Kings Store-houſe at their Election ſhall be meaſured, weighed, and numbred by and in the preſence of the Officers to be thereto particularly appointed: who ſhall perfect the Entry, and ſubſcribe their Names, and the next day give account to them that manage the Cuſtoms, the Cuſtomer or Collector and Controller, without cauſe to be allowed by them, or ſhall forfeit an 100 *l.*

LXVI. No Veſſel employed for the carriage of Letters and Pacquets, unleſs in caſes to be allowed by the Officers of the Cuſtoms, ſhall Export or Import any Goods, on pain of an 100 *l.* to be paid by the Maſter, with the loſs of his Place, and all Goods found Aboard ſuch Veſſel ſhall be loſt.

LXVII. No

LXVII. No Wines, other than Rheniſh, no Spicery, Grocery, Tobacco, Pot-Aſhes, Pitch, Tar, Salt, Rozen, Deal-Boards, Fir, Timber or Olive Oyl, ſhall be Imported from the *Netherlands* or *Germany*, on pain to loſe the ſaid Goods, and the Ship and Furniture.

LXVIII. Any Veſſel upon which the Impoſition of 5 *s. per* Tun is payable by the Stat. of 12 *Car.* 2. *cap.* 18. which ſhall put on Shore or into any Boat, Goods or Paſſengers, without paying Cuſtom and Tunnage, returning into *England* or *Ireland*, ſhall pay what was formerly due, and forfeit 10 *l.* And Pilots, Watermen, *&c.* bringing Goods from on Board ſuch Veſſel, ſhall pay the Duty of Tunnage which the Veſſel ſhould have paid, and forfeit 40 *l.*

LXIX. Vineger, Perry, Rape, Cyder, and Cyder-eager, ſhall pay 4 *l.* 10 *s. per* Tun, Imported by *Engliſh*, and 6 *l.* Imported by Strangers, to be Levied as by the Act of Tunnage and Poundage. And in caſe of Exportation there ſhall be allowed to the *Engliſh* Exporter 3 *l.* 10 *s.* and to the Alien 4 *l.* 15 *s. per* Tun according to the Book of Rates.

LXX. Logwood may be Imported and uſed in Dying, notwithſtanding any former Statute, paying for every Tun Imported 5 *l.* in ſuch manner, and under ſuch Penalties as are provided in the Act of Tunnage and Poundage, 4 *l. per* Tun ſhall be repaid to the Exporter.

LXXI. All Suits, *&c.* upon the Act for encouraging Shipping and Navigation may be proſecuted in the Exchequer. In Suit upon the Act of Tunnage and Poundage and the ſaid Act, or any other Act concerning Importation of Goods, and if the property be claimed by any as Importer, the *Onus probandi* ſhall lie upon ſuch Owner or Claimer.

LXXII. If the Seiſure or Suit be upon the Stat. of 12 *Car.* 2. *cap.* 18. the Defendant may have a Commiſſion out of Chancery to examine Witneſſes beyond Sea, which ſhall be Evidence at Law.

LXXIII. No Writ of Delivery ſhall be granted out of the Exchequer for Goods ſeiſed, but upon good Security, and that for Goods periſhable only, or where the Informer ſhall delay the Trial.

LXXIV. One moiety of all the Forfeitures by this Act ſhall be to the King, the other to the Informer.

LXXV. Officers belonging to the Admiralty, Commanders of Ships, Caſtles and Block-houſes, and all the Kings Officers and Subjects, ſhall be aſſiſting to the Officers of the Cuſtoms and their Deputies, in the execution of this Act.

LXXVI. None ſhall be employed about the Cuſtoms till they have taken an Oath for the faithful execution of their Employments: and the Commiſſioners and principal Officers in the Port of *London*, and the principal Officers in other Ports, or two of them, may Adminiſter ſuch Oath, and cauſe it to be Regiſtred in the reſpective Cuſtom-houſes.

LXXVII. If any perſon employed in the Cuſtoms demand or take greater Sums than are due by Law, or put any Merchant or other out of his Turn, without Order before, or Approbation after, from the Perſons appointed to manage the Cuſtoms, or the ſuperior Officers for the ſame, or illegally detain the Goods of any, or neglect to make Repayments and Allowances, or after notice do not give out or execute his Warrant, he ſhall be liable to double Coſts and Damages.

LXXVIII. Perſons Exporting Goods out of any Port capable of a Veſſel of 200 Tun, to any Place of the *Mediterranean* Sea beyond *Malaga*, or Importing Goods from thoſe Places, in a Veſſel not having two Decks, and carrying leſs than 16 Pieces of Ordnance, with two Men for each Gun, and other Ammunition proportionable ſhall pay for the Wares ſo Exported or Imported 1 *per Cent*, beſides Tunnage and Poundage, except where one moiety of the Lading Exported, is Fiſh only, in which caſe any Wares may be Imported for that Voyage, paying the Duties heretofore accuſtomed.

LXXIX. Salt brought out of *Scotland* ſhall pay one half-penny *per* Gallon, *Wincheſter* Meaſure, at the Landing thereof.

LXXX. Stat. 1. *Jac.* 2. *cap.* 1. The laſt mentioned Act Continued during the Life of King *James* the Second.

LXXXI. Stat. 1. *Jac.* 2. *cap.* 3. Granted to his Majeſty towards a Supply for the Repairs of the Navy, and providing Stores for the Navy and Ordnance, and other his Majeſties occaſions, for all *French*, *Spaniſh* and other Wines, and for Vineger, which ſhall be Imported after the Twenty fourth day of *June* 1685, and before the Twenty fourth day of *June* 1693, theſe further Rates and Duties; *viz.* for every Tun of French Wine and of Vineger 8 *l.* and for every Tun of Spaniſh or other Wines 12 *l.* and after thoſe Rates for greater or leſſer Quantities.

LXXXII. Importers ſhall upon the Entry made of ſuch Liquors, and before Landing, pay the ſaid Duties, deducting the Allowance after mentioned, or become bound with two or more Sureties to his Majeſty, or procure three other Perſons to become ſo bound, to pay the whole Duties, by three equal Payments; the firſt payment to be within three months of the date of the ſaid Obligation, the ſecond within ſix months, and the third within nine months. The taking of which Bonds and Approbation of the Sureties, left to the diſcretion of the Farmers or other Commiſſioners of the Cuſtoms, or their Deputy-Collectors; or ſuch Perſons as his Majeſty ſhall appoint to Collect the Duties ariſing by this Act.

LXXXIII. There ſhall be allowed after the rate of 10 *per Cent.* for a year, for preſent payment.

LXXXIV. If any of the ſaid Liquors ſhall be Landed without preſent payment, where this Act requires it, or without Security, where this Act admits thereof; the Liquors ſo Landed, or the value

value thereof, ſhall be forfeited, one moiety to the King, the other to the Informer. And yet the Importers ſhall pay the Duties, which by this Act are payable.

LXXXV. No Importer ſhall be chargeable to pay the Duty hereby required, for any greater proportion of the ſaid Liquors, duly entred, then what ſhall remain Neat after ſuch allowances, as are directed to be made upon Importation of Wines, *&c.* by the Act for Tunnage and Poundage, and the Rules for collecting the Duties ariſing thereby. Vintners and Retailers Importing, ſhall pay ready Money for the whole Duty. All other Importers, making Oath that the ſaid Liquors are Imported by way of Merchandiſe, and with intent to ſell again, ſhall be allowed the further abatement of 8 *l. per Cent.* and no more. No Merchant ſhall be charged with the ſaid Duty for Priſage-Wine: but he that enjoyeth the benefit of the ſaid Priſage-Wine, ſhall pay the ſame.

LXXXVI. If any of the ſaid Imported Liquors ſhall be again Exported, the Perſon Exporting ſhall receive back no part of the Duties of this Act, nor ſhall the Security given for the ſame, be diſcharged by reaſon of ſuch Exportation.

LXXXVII. The Officers of the Cuſtoms, or ſuch Perſons as the King ſhall appoint to collect the Duties of this Act, ſhall have power to do all things to ſecure the payment thereof, which any Officers may do touching ſecuring the Cuſtoms of Tunnage and Poundage. And all the ſaid Liquors to be Imported within the time aforeſaid, and Landed without doing what by this Act is required; and all Officers of the Cuſtoms, and all Importers of the ſaid Liquors, and all employed in the Collection of the Duties of this Act, being found guilty of any act or neglect tending to defraud the King of the Duties hereby impoſed, ſhall be liable to the ſame Seizures, Penalties and Forfeitures, which by former Acts may be inflicted in ſuch caſes.

LXXXVIII. If any Liquors ſeiz'd for any offence againſt this Act, ſhall be claimed by any Perſon, as the Importer thereof, the proof whether the Duties be paid or ſecured, ſhall lie upon ſuch Claimer.

LXXXIX. Stat. 1. *Jac.* 2. *cap.* 4. Granted for a further Supply for the Repairs of the Navy, and providing Stores for the Navy and Ordnance, and payment of the Debt due to the late King's Servants, and other the King's Occaſions, upon all Tobacco and Sugar, which ſhall be Imported after the Twenty fourth of *June* 1685, and before the Twenty fourth of *June* 1693, the farther Duties herein after mentioned; *viz.* for Tobacco of the growth of any of his Majeſties Plantations, *&c.* in *America*, 3 *d.* a pound, above what it now pays; For Foreign Tobacco 6 *d.* a pound; For *Muſcovade* Sugar of the ſaid Plantations, *&c.* one farthing the pound; For Sugar of the *Engliſh* Plantations, made fit for common uſe, three farthings the pound; For *Muſcovade* Sugar of Foreign parts, one half-peny the pound; For all *Panele* Sugar,

Sugar, one half-peny the pound; and for Foreign White Powder Sugar, one peny farthing. All the ſaid Duties to be levied on the Conſumptioner in manner following; *viz.* If the Importer be a Retailer, he ſhall pay the ſaid Duties before he carry away his Goods from the Cuſtom-houſe or other place where they are brought on ſhore.

XC. Every Importer, not being a Retailer, after entry of his Goods, ſhall by Bill under his hand, or under the hand of ſuch Perſon, for whom he ſhall engage to be anſwerable, before he have a Warrant to receive his Goods, become bound to the King with one or more Sureties, or procure two others to be bound, to the value of the Duty, with Condition not to deliver the ſaid Goods to the Buyer, or into the cuſtody of any Retailer, till the Duty of this Act be firſt paid, or in caſe he do not ſell or export the ſame within eighteen months, that he will pay the Duty. Every Importer of the ſaid Commodities, ſhall upon ſale of any part thereof, certifie the quantity, quality and weight thereof, with the Buyers Name, who delivering the ſame to the next Office for collecting this Duty, ſhall then pay the ſaid Duties, and have a Receipt from the Officer and a Certificate to be left with the Importer of the payment thereof. The Merchant, before his receit of ſuch Certificate, not to deliver his Goods, nor the Buyer to receive them, on pain to forfeit double the Duties of this Act, or the value of the Goods ſo delivered: both Importer and Receiver to be liable to this forfeiture.

XCI. A Barter, Truck or Exchange ſhall be deemed a Sale.

XCII. Where the firſt Buyer or Receiver in Barter, *&c.* does buy or receive the ſaid Goods to export them, the Importer ſhall certifie their quantity, quality and weight, with the Buyers or Barterers Name, who delivering ſuch Certificate at the next Office for collecting this Duty, ſhall enter Bond with Sureties, and penalty of double Duties, to export the ſame within four months, and receive a Certificate of ſuch Bond entred, which he ſhall deliver to the Importer, and by vertue thereof receive the Goods. Such Certificate ſhall diſcharge the Importers Account for ſo much. Which Bond for Exportation ſhall be diſcharged upon the Searchers Certificate of the Shipping of the Goods, and the Merchants Oath that they have not again been relanded in *England*, *&c.* for which Oath and Certificate no Fee is to be taken.

XCIII. The Collectors of this Duty ſhall once every three months, or oftner, balance and adjuſt the Merchants Import-accounts, by requiring them to deliver an account of all the Goods liable to this Duty then remaining in their hands. And if any Importer ſhall upon notice given him, or notice or ſummons left at his Habitation, neglect to give in ſuch account for fourteen days, he ſhall be liable to the full Duty, wherewith he ſhall ſtand charged in his Import-account, and pay the ſame within fourteen days after; or in default thereof ſhall forfeit double the value of the Duties of

ſuch

ſuch Goods as ſhall remain on his Import-account, and be incapable of taking up any Goods liable to this Duty without preſent payment. But if ſuch Importer give in ſuch Account within fourteen days, the Collectors of this Duty may appoint Officers to ſearch the Warehouſes, *&c.* of ſuch Importer, and try whether his remainder agree with his Account; and ſuch Officers report ſhall be reputed the true Remainder. And then ſuch Importer making Oath, That the Goods viewed by the Officer, and all other Goods ſhipt out by him or others, by which his Account is diſcharged, were all and every part of ſuch Goods as he had formerly imported and entred, and that the Goods found remaining, had not been altered in their property, ſince their Importation, the Collectors ſhall adjuſt the ſaid Importers Accounts accordingly. But if any Importer ſhall not permit ſuch Officer to make ſearch, and take an account as aforeſaid, he ſhall forfeit for every ſuch refuſal 100 *l.* or if permitting Entrance and Search, he ſhall refuſe to make Oath as aforeſaid, then all ſuch Goods ſhall be reputed as the Goods of ſome other, and not reckoned in diſcharge of ſuch Importers Account; and if ſuch Importer make Oath, and yet neglect for fourteen days after to pay the Duties by this Act due thereupon, ſuch Importers Bond given upon entry of thoſe Goods, which he found wanting, ſhall be returned into the Exchequer; and he ſhall afterwards be permitted to land his Goods without preſent payment of the Duties of this Act.

XCIV. Yet it is hereby declared, That the Importers Accounts ſhall be diſcharged by Exportations, upon Certificate and Oath as aforeſaid.

XCV. Provided that every Importer dealing in the ſaid Commodities by retail, ſhall upon exportation within eighteen months after, be repaid the Duties ſo by him paid.

XCVI. No Importer ſhall be charged for any greater proportion of Goods, then what ſhall remain neat after ſuch allowance, as is directed by the Act of Tunnage and Poundage and the Inſtructions for collecting the Duties ariſing thereby.

XCVII. For damages before ſale or exportation, the Collectors of this Duty may make ſuch further allowance as they ſhall think fit, ſo they allow not above 8 *l. per Cent.* in the whole, for all cauſes whatſoever.

XCVIII. Importers not clearing their Import-Accounts, either by Sales or Exportation, within eighteen months from the time of the Importation, ſhall be charged with the Duty impoſed by this Act, as if the Goods had been ſold; but allowance ſhall be made for waſte and decay, as aforeſaid.

XCIX. The King may authorize Commiſſioners, Collectors or other Officers, to levy the ſaid Duties in every Port, who ſhall attend at the uſual hours and times, in which the Officers of the Cuſtoms ought to attend.

C. Goods liable to the Duties impoſed by this Act, ſhall be entred in the true Importers names on pain of forfeiture of double Duties; and no ſuch Goods ſhall during the continuance of this Act, ſhall be landed or put off from land into any Veſſel, but only at ſuch times and places as they ought to be unſhipt or ſhipt, *&c.* by vertue of the ſeveral Laws made for the payment of Cuſtoms and collecting them, and preventing frauds and regulating abuſes in the Cuſtoms; And all the Clauſes, Penalties and Forfeitures mentioned in the ſaid Acts, ſhall be in force touching the Goods mentioned in this Act, and the Duties impoſed thereon; And the Commiſſioners appointed as aforeſaid for the collecting this Duty, are hereby impowred with all the Powers and Authorities the Commiſſioners, *&c.* of the Cuſtom-houſe have by vertue of the aforeſaid Laws. The Penalties and Forfeitures incurred by vertue of this Act, ſhall be recovered by Action of Debt, Bill, Plaint or Information in any of the Courts of Record at *Weſtminſter*; one moiety to the King, the other moiety to the Proſecutor. No Eſſoyn, Protection or Wager of Law to be allowed, and but one Imparlance; but no perſon ſhall ſue for the ſame, but ſuch Officers as ſhall be appointed to collect the ſaid Duties. All Officers, Deputies and others having any Employment in the Collection of this Duty, ſhall before they enter upon their Offices, take an Oath for the due execution thereof, to the beſt of their knowledge, before the Commiſſioners or chief Managers of the Cuſtoms or this Duty; or before the Cuſtomer or Controller in any Out-Port. If any Seiſure or Information be made or brought by Officers or Perſons imployed in the Cuſtoms or the Duties of this Act, the *onus probandi* or proof whether the Duties be paid or ſecured, ſhall lie upon the Claimer or Defendant.

CI. Stat. 1. *Jac.* 2. *cap.* 5. There ſhall be paid to the King for all *French* Linnen, which ſhall be imported after the Firſt of *July* 1685, and before the Firſt of *July* 1690, double the Duties they ſtand charged with in the Book of Rates. And for Callicoes and other *Indian* Linnen, imported within the ſaid time, 10*l.* for every Hundred pounds value thereof; the like value for wrought Silks, or other Manufactures of *India*, mixed with Herba, or Silk and Thread, or Cotton, imported within the time aforeſaid; the like value for all Wrought Silks and other Stuffs manufactured in *France* or *Avignon*, imported within the time aforeſaid; for other Wrought Silks imported within the ſaid time 7*l.* for every hundred; for Single Brandy imported within the ſaid time 8 *d. per* Gallon, above the Duties of Exciſe and Cuſtom already payable for the ſame; and for Strong-Water or Brandy above proof, commonly called Double Brandy, imported within the ſaid time, 2 *s. per* Gallon above the Duties of Exciſe and Cuſtom now payable; and for Strong-Waters, *Aqua Vitæ*, or Spirits of the ſecond Extraction, made here for ſale, to be paid by the Maker 4 *d.* above what is now due and payable; the ſaid Duties to be raiſed

raiſed in ſuch Manner and by ſuch Rules and under ſuch Penalties as are mention'd in the Act of Tonnage and Poundage, and the Rules and Orders thereunto annexed; For Single-Brandy, *&c.* in ſuch Manner and by ſuch Rules and under ſuch Penalties as are mentioned in the Act of 12 *Car.* 2. *cap.* 23 *&* 15 *Car.* 2. *cap.* 11.

CII. If any Diſtiller or Maker of Low-Wines, Spirits or Strong-Waters, ſhall conceal or convey the ſame from the view of the Gaugers, ſuch Diſtiller or Maker, for every Gallon ſo conceal'd or conveyed, ſhall forfeit 5 *s.* to be recovered and levied as by the laſt mentioned Acts is appointed; the one moiety to the King, the other to the Diſcoverer or Informer.

CIII. No Brandies ſhall be imported in any Cask, not containing 60 Gallons, on pain to forfeit the ſame, or the value thereof, one half to the King, the other to the Informer.

CIV. Officers concerned in collecting the Duties of this Act, ſhall keep a ſeparate Account thereof, and pay them in *ſpecie* into the Exchequer weekly, and upon neglect thereof ſhall incur the Penalties, *&c.* as other Officers of the Exchequer after-mentioned ſhall be liable to, which Moneys ſo paid ſhall be liable to the uſes hereafter mentioned.

CV. Whoſo ſhall ſend to the King any Moneys, not exceeding 400000 *l.* on the Credit of this Act, ſhall have a Tally for the ſame and an Order for repayment bearing date with the Tally; in which Order ſhall be contained a Warrant for payment of Intereſt, not exceeding 8 *l. per Cent.* to be paid every three months, till payment of the Principal.

CVI. Orders for repayment of Money lent, ſhall be regiſtred in courſe, and all Perſons paid in courſe, be it Orders for payment directed by his Majeſty, or of Moneys lent as aforeſaid.

CVII. If any undue Preference be made contrary to the meaning of this Act, the Party offending ſhall be liable by Action of Debt, or on the caſe, to pay the Debt, Damages and Coſts, to the Party grieved, and ſhall be fore-judged from his Office.

CVIII. If ſuch Preference be unduly made by any Deputy or Clerk, without his Maſters privity, the Deputy, *&c.* ſhall only be liable, and uncapable of his place.

CIX. If the Auditor ſhall not direct the Order, and the Clerk of the Pells Record, and the Teller make payment according to each Perſons due Place and Order, they and their reſpective Deputies and Clerks ſhall be liable as aforeſaid.

CX. If ſeveral Tallies, or Orders for Payment bear date or be brought to the Auditor on the ſame day, it ſhall be no undue Preference which he enters firſt, ſo he enter all the ſame day.

CXI. Nor ſhall it be any undue Preference to pay ſubſequent Orders brought in courſe, ſo as there be Money reſerved to pay former Orders. Intereſt for loan to ceaſe from the time the Money is kept in bank for them.

CXII. All Perſons to whom Money ſhall be due by vertue of this

this Act, after Order entred for payment thereof, may transfer their intereſt in ſuch Order to any other, which being notified in the Office of the Auditor of the Receipt, and an Entry made thereof, (which ſhall be made without Fee) ſhall Entitle the Aſſignee to the benefit thereof.

CXIII. Such perſons as ſhall become bound to the King for the purpoſes mentioned in the Act next before-going, (*Sect.* XC.) ſhall be bound in double the value of the Duties impoſed by the ſaid Act.

☞ Cuſtoms and Uſages.

I. Stat. 31 *H.* 8. 3. The Mannors, *&c.* of *Thomas* Lord *Cromwel* and others, within the County of *Kent*, being *Gavelkind* Land, ſhall hereafter deſcend as Lands at the Common Law.

☞ *Cuſtos Rotulorum.*

I. Stat. 37 *H.* 8. 1. None ſhall be *Cuſtos Rotulorum* but ſuch as ſhall have a Bill Signed by the Kings Hand for the ſame, which ſhall be Warrant for the Lord-Chancellor to put and continue him in the Commiſſion to be *Cuſtos Rotulorum*, until the King ſhall appoint another.

II. The *Cuſtos Rotulorum* may execute that Office by a Deputy Learned in the Laws, and able to ſupply that Place.

III. The *Cuſtos Rotulorum* ſhall have power to appoint the Clerk of the Peace, who may alſo execute it by a ſufficient Deputy, approved by the *Cuſtos Rotulorum*.

IV. This Act ſhall not inhibit the Archbiſhop of *York*, the Biſhop of *Durham*, the Biſhop of *Ely*, and all others having lawful power (by the Grant of the King or his Progenitors) to make a *Cuſtos Rotulorum* within their ſeveral Juriſdictions, to uſe the ſame liberty which they had before.

V. Stat. 3, 4 *E.* 6. 1. The Lord-Chancellor or Keeper ſhall appoint the *Cuſtos Rotulorum* in every County of *England*, *Wales*, and other the Kings Dominions, who may execute his Office by himſelf, or by his Deputy. Howbeit the power of others is ſaved who have power to name the *Cuſtos Rotulorum*.

Days in Bank.

I. Stat. *De Anno Biſſextili*, 21 H. 3. The day increaſing in the Leap-year, and the day next going before, ſhall be accounted for one day. And this was done to avoid the doubt of the year and day that were wont to be aſſigned to ſick perſons, being impleaded, to the end they might know (when the Leap-year happened) how to reckon their year and day.

II. Stat. 51. H. 3.

If a Writ come in	Day ſhall be given thereupon unto the
Utas Sancti Mich.	*Utas Sancti Hil.*
Quinzime Mich.	*Quinzime Hil.*
Tres Mich.	*Craſtin Purific.*
Craſtino Anim.	*Quinzime Paſchæ.*
Craſtino Mart.	*Tres Paſchæ.*
Utas Martini,	*Menſe Paſchæ.*
Quinzime Mart.	*Quinque Paſchæ.*
Utas Hillarii,	*Utas Trin.* and ſometimes *in Craſt. S. Joh. B.*
Quindena Hilarii,	*Craſt. & Utas S. Joh. B.*
Craſtino Purific.	*Quindena S. Joh. B.*
Utas Purific.	*Utas Mich.*
Quindena Paſchæ,	*Quindena Mich.*
Tres Paſchæ,	*Tres Mich.*
Menſe Paſchæ,	*Menſe Mich.*
Quinque Paſchæ, or *Craſt. Aſcenſ.*	*Craſt. Anim.*
Utas Trin.	*Craſt. Mart.*
Quindena Trin. or *Craſt. S. Joh. B.*	*Utas Mart.*
Utas S. Joh. Bapt.	*Quindena Mart.*
Quindena S. Joh. B.	

And ſo every Term ſhall anſwer to other.

III. Stat. 51 H. 3. Concerning general Days in a Writ of Dower.

If

If the Writ come in	Day ſhall be given until
Octabis Mich.	*Craſtino Animarum.*
Quindena Mich.	*Craſt. Martini.*
Tres Mich.	*Octabis Martini.*
Menſe Mich.	*Quindena Martini.*
Craſtino Anim.	*Octabis Hilarii.*
Craſtino Mart.	*Quindena Hilarii.*
Octabis Mart.	*Craſtino Purific.*
Quindena Mart.	*Octabis Purific.*
Octabis Hil.	*Quindena Paſchæ.*
Quindena Hil.	*Tres Paſchæ.*
Craſtino Purific.	*Menſe Paſchæ.*
Octabis Purific.	*Craſtino Aſcenſ.*
Quindena Paſchæ,	*Octabis Trin.*
Tres Paſchæ,	*Quindena Trin.*
Menſe Paſchæ,	*Craſt. Joh. Bapt.*
Quinque Paſchæ,	*Octabis Joh. Bapt.*
Craſtino Aſcenſ.	*Quindena Johannis.*
Octabis Trin.	*Octabis Mich.*
Quindena Trin.	*Quindena Mich.*
Craſtino Johannis,	*Tres Mich.*
Octabis Johannis,	*Menſe Mich.*
Quindena Johannis,	*Craſtino Anim.*

IV. Marlbr. 12. 52 *H.* 3. In Dower (*unde nihil habet*) four days ſhall be given in the year, and more if conveniently may be; ſo that they ſhall have five or ſix days (at leaſt) in the year.

V. In Aſſiſes of *Darrein preſentment*, and a Plea of *Quare impedit*, days ſhall be given from 15 to 15, or from three weeks to three weeks, according to the diſtance of the Place.

VI. In a *Quare Impedit*, if the Diſturber come not in upon Summons, nor caſt an Eſſoin, he ſhall be Attached at another day; when if he come not, nor caſt an Eſſoin, the great Diſtreſs ſhall iſſue againſt him; when if he come not, a Writ ſhall be ſent to the Biſhop, that the Diſturber claim not for that time to the prejudice of the Plaintiff, ſaving unto him his Right at another time.

VII. The ſame Law ſhall be obſerved for Attachment as for Diſtreſſes, ſo that the ſecond Attachment ſhall be made by better Pledges, and after the laſt Diſtreſs.

VIII. Stat. 32 *H.* 8. 21. There ſhall be only four days of Return in *Trinity* Term, *viz. Craſt. Trin. Octab. Trin. Quindena Trin.* and *Tres Trin.*

IX. This Term ſhall hereafter begin upon the *Munday* after *Trinity Sunday* for keeping of Eſſoins, Profers, Returns, and other Ceremonies formerly uſed; and the Term ſhall begin the *Friday* after *Corpus Chriſti* day, being always the *Friday* next enſuing.

X. If

X. If a Writ in any real Action come in and be returnable

Octabis Hil.
Quindena Hil.
Craſtino Purific.
Octab. Purific.
Craſt. Trin.
Octab. Trin.
Quindena Trin.
Tres Trin.

Day ſhall be given in

Craſt. Trin.
Octab. Trin.
Quindena Trin.
Tres Trin.
Craſt. Anim.
Craſt. Martini.
Octabis Martini.
Quindena Martini.

XI. If any Writ of Dower come in and be returnable

Quindena Paſchæ,
Tres Paſchæ,
Menſe Paſchæ,
Quinque Paſchæ, or *Craſt. Aſcenſ.*
Craſtino Trin.
Octabis Trin.
Quindena Trin.
Tres Trin.

Day ſhall be given in

Craſtino Trin.
Octab. Trin.
Quindena Trin.
Tres Trin.
Octab. Mich.
Quindena Mich.
Tres Mich.
Menſe Mich.

XII. All common Writs and Proceſſes (as well perſonal as mixt) ſhall keep the ſaid Returns of *Trinity* Term ordained by this Act.

XIII. This Act ſhall not prohibit the Juſtices of the Kings Courts of Record to aſſign ſpecial days of Return, in ſuch Caſes and Proceſſes as have uſed to have ſpecial days aſſigned.

XIV. The ſaid Statute of *Marlbridge* 12. and alſo 5 *E.* 3. (which *ſee in* Attaint) being not contrariant to this Act, ſhall remain firm, notwithſtanding this Act.

XV. Stat. 16, 17 *Car.* 1. 6. There ſhall be only ſix days of Return in *Michaelmas* Term, *viz. Tres Michael, Menſe Michael, Craſt. Anim. Craſt. Mart. Octabis Mart.* and *Quindena Mart.*

XVI. *Michaelmas* Term ſhall hereafter begin at *Tres Mich.* for the keeping of Eſſoins, Profers, Returns, and other Ceremonies heretofore uſed, and the full Term ſhall be four days after. Howbeit, if the beginning of the Term or the ſaid fourth day happen to be *Sunday*, then the next day is to be kept for it.

XVII. If any Writ in any real Action (other than Writs of Entry for common Recoveries, Writs of Right and Advowſon, and Writs of Dower, *unde nihil habet*, hereafter mentioned) come in and be returnable

Tres Mich.	*Craſtino Purific.*
Menſe Mich.	*Octabis Purific.*
Craſtino Anim.	*Quindena Paſchæ.*
Craſtino Mart.	*Tres Paſchæ,*
Octab. Mart.	*Menſe Paſchæ.*
Quindena Mart.	*Quinque Paſchæ.*
Octab. Hil.	*Craſt. Aſcenſ.*
Quindena Hil.	*Craſt. Trin.*
Craſt. Purific.	*Octab. Trin.*
Octab. Purific.	*Quindena Trin.*
Quindena Paſchæ,	*Tres Trin.*
Tres Paſchæ,	*Tres Mich.*
Menſe Paſchæ,	*Menſe Mich.*
Quinque Paſchæ,	*Craſt. Anim.*
Craſt. Aſcenſ.	*Craſt. Mart.*
Craſt. Trin.	*Octab. Mart.*
Octab. Trin.	*Quindena Mart.*
Quindena Trin.	*Octab. Hilarii.*
Tres Trin.	*Quindena Hilarii.*

Then Day ſhall be given

XVIII. Provided that in Writs of Dower (*unde nihil habet*) after Iſſue joyned, 15 days betwixt the *Teſte* and the Term ſhall ſuffice, as is uſed in perſonal Actions.

XIX. *Craſtino Aſcenſ.* ſhall be a good Return, notwithſtanding there be not 15 days between the *quarto die* of that Return, and the Eſſoin-day of the Return of *Craſt. Trin.* Alſo the Return of *Tres Mich.* to *Craſt. Anim.* ſhall be a good Return, albeit there be not 15 days between the *quarto die* of *Tres Mich.* and the Eſſoin-days of *Craſt. Anim.*

XX. All Writs of Summons *ad warrantizandum* againſt Voucheés upon common Recoveries had in Writs of Entry upon the appearance of the Tenant, and all Writs of Right of Advowſon, ſhall be abridged to five Returns, as Writs of Summons *ad warrantizandum* in Writs of Dower have been heretofore uſed.

XXI. This Act ſhall not prohibit the Juſtices of the Kings Courts of Record to aſſign ſpecial days of Return in ſuch Caſes and Proceſſes as have uſed to have ſpecial days aſſigned.

XXII. The days in Aſſiſe of *Darrein preſentment*, and in Plea of *Quare impedit*, limited by the ſaid Statute of *Marlebridge*, and alſo the days given in Attaint, limited by 5 *E.* 3. 8. and 23 *H.* 8. 3. (*which ſee in* Attaint) being not contrary to the tenour of this Act, ſhall be held firm, notwithſtanding this Act.

Damages and Coſts.

I. Glouceſter 1. 6 *E.* 1. Damages are given in Aſſiſes of *Novel diſſeiſin* as well againſt the Alienee of the Diſſeiſor, as againſt the Diſſeiſor himſelf; ſo that every one ſhall anſwer for his time.

II. The Diſſeiſee ſhall recover Damages in a Writ of *Entry* upon *Novel diſſeiſin* againſt him that is found Tenant after the Diſſeiſor.

III. Damages ſhall be awarded in all Caſes, where one recovereth in an Aſſiſe of *Mortdanceſtor*: and alſo in Writs of *Couſinage*, *Ayel* and *Beſayel*.

IV. The Demandant may recover againſt the Tenant the Coſts of his Writ, together with the Damages aforeſaid: and this Act ſhall hold place in all caſes where the party is to recover Damages.

V. Glouceſter 14. 6 *E.* 2. Diſſeiſees in *London* ſhall have Damages by Recogniſance of the ſame Aſſiſe whereby they recovered their Lands, and the Diſſeiſors ſhall be Amerced before two Barons of the Exchequer, which ſhall reſort once a year into the Cities to do it; and the Barons and Treaſurer ſhall cauſe it every year to be Levied by two of them at their riſing after *Candlemas*. And the Amerciaments ſhall be Levied by Summons of the Exchequer to the Kings uſe.

VI. Expoſition of Glouceſter, 6 *E.* 1. Where any have entred by a Diſſeiſor, the Damages ſhall run from the time of the Statute publiſhed.

VII. In Writs of Entry *ſur Diſſeiſin*, *Mortdanceſtor*, *Coſinage*, *Ayel* and *Beſayel*, and touching Intruſion, or of ones own act, by any manner of Writ, the Damages ſhall run, after the Writ purchaſed, againſt them that hold ſince the Statute, albeit their Anceſtors died ſeiſed thereof.

VIII. Strat. 3 *H.* 7. 10. Where any perſon bound by a Judgment ſhall ſue (before Execution had) a Writ of Error to reverſe it, if the Judgment be affirmed, the Writ diſcontinued, or the party that ſueth it to be Non-ſuit, the party againſt whom the Writ is brought ſhall recover his Coſts and Damages at the diſcretion of the Juſtices before whom the ſaid Writ is ſued.

IX. Strat. 19 *H.* 7. 20. The Statute of 3 *H.* 7. 10. is confirmed, and ſhall be duly put in execution.

X. Strat. 23 *H.* 8. 15. If the Plaintiff be Non-ſuit or overthrown by lawful Trial in any Action, Bill or Plaint, for Treſpaſs upon the Statute of 5 *R.* 2. 7. (*which ſee in* Forcible Entry, 1.) or for any Debt or Covenant upon Specialty or Contract, or for *Detinue*, Account upon the Caſe, or upon any Statute, the Defendant ſhall in ſuch Caſe have his Coſts, to be Aſſeſſed by the Judge or Judges of the Court, and to be recovered as the Plaintiff might have recovered his, in caſe Judgment had been given for him.

XI. Here, he that ſues *in forma pauperis* ſhall (not pay Coſts, but) ſuffer ſuch puniſhment as the Juſtices or Judge of the Court ſhall think fit.

XII. Stat. 24 *H.* 8. 8. There ſhall be no Coſts awarded to the Defendant, when any Action is ſued to the Kings uſe.

XIII. Stat. 43 *Eliz.* 6. In perſonal Actions in the Courts at *Weſtminſter*, (being not for Land or Battery) when it ſhall appear to the Judges (and ſo by them ſignified) that the Debt or Damages to be recovered amount not to the Sum of 40 *s.* or above, the ſaid Judges ſhall award to the Plaintiff no more Coſts than Damages, but leſs, at their diſcretion.

XIV. Stat. 4 *Jac.* 1. 3. If the Demandant or Plaintiff be Nonſuit or overthrown by lawful Trial in any Action whatſoever, the Tenant or Defendant ſhall have Coſts, to be Aſſeſſed and Levied as Coſts are to be Aſſeſſed and Levied by the Statute of 23 *H.* 8. 15.

XV. Stat. 21 *Jac.* 1. 16. In Actions of Slander, if the Jury find or Aſſeſs the Damages under 40 *s.* the Plaintiff ſhall recover no more Coſts than Damages.

XVI. 13 *Car.* 2. Stat. 2. *cap.* 2. If any proſecute a Writ of Error, for the reverſal of any Judgment after Verdict, in any of the Courts at *Weſtminſter*, or in the Counties Palatine of *Cheſter*, *Lancaſter*, or *Durham*, or in the Courts of great Seſſions in any of the 12 Shires of *Wales*, and the Judgment be affirmed, they ſhall pay double Coſts: Popular Actions, and Actions upon Penal Laws (except Debt for Tythes) and Indictments, Informations, Appeals, *&c.* are excepted.

XVII. Stat. 22 *&* 23 *Car.* 2. *cap.* 9. In all Actions of Treſpaſs, Aſſault and Battery, and other perſonal Actions, wherein the Judge ſhall not certifie upon the Back of the Record, that a Battery was proved, or the Free-hold or Title of the Land chiefly in Queſtion, the Plaintiff, if the Jury find the Damages under 40 *s.* ſhall recover no more Coſts than Damages; and if more Coſts are awarded, the Judgment ſhall be void, and the Defendant may have an Action of Treſpaſs againſt the Plaintiff for ſuch Vexatious Suit, in any Court of Record, and ſhall recover his Damages and Coſts.

Damage Cleer.

I. Stat. 17 *Car.* 2. *cap.* 6. No Damage Cleer ſhall be taken after the 29*th* of *September* 1672. And if any Officer in any of the Kings Courts take or exact any Money in the name of *Damna Clericorum*, or any thing in lieu thereof, he ſhall forfeit treble the value, to be recovered in any of the ſaid Courts by the party grieved.

Darrein Preſentment.

I. Magna Charta, 13. 9 *H.* 3. Aſſiſes of *Darrein Preſentment* ſhall be taken before the Juſtices of the Bench, and there ſhall be determined.

I. Weſt. 2. 3 *Ed.* 1. *c.* 23. None ſhall reſtrain a Foreigner in any City, Borough, Town, Market or Fair, for any Debt wherefore he is not Debtor or Pledge, in pain to be grievouſly puniſhed; and if he be, the Diſtreſs ſhall be re-delivered without delay by the Baliff of the Place, or the Kings Bailiff, if need be.

II. Stat. 1. *R.* 2. 12. No Warden of the Fleet ſhall ſuffer any Priſoner (being in by judgment) to go at large by Mainpriſe, Bail or Baſton, without agreeing with the party for the thing adjudged, (unleſs it be by Writ, or other Command of the King) in pain to loſe his Office.

III The Warden being Attainted thereof by due Proceſs, the Plaintiffs ſhall have their recovery againſt him by Bill of Debt.

IV. If any perſon, being judged to another Priſon, ſhall (with purpoſe to be removed to the Fleet, and there to have more liberty) confeſs himſelf Debtor to the King, the ſaid Recogniſance ſhall be received; and if he be not Debtor to the King upon Record, he ſhall be remanded, and there remain until he hath agreed with the party, and afterwards ſhall be ſent to the Fleet, and there remain until the King be ſatisfied the Cogniſance.

V. Stat. 2 *R.* 2. *Parl.* 2, 3. Where a Debtor makes a fraudulent Conveyance to defraud the Creditor, if upon the *Capias* for the Debt the Sheriff return he hath not taken him, becauſe of ſome priviledged Place where he lies; the Sheriff ſhall have another Writ to make Proclamation once a week five weeks together, at the Gate of the priviledged Place, that the party appear at the day compriſed in the laſt Writ: and then, upon return of the ſaid laſt Writ, that Proclamation is made accordingly, if the party appear neither by himſelf, nor his Attorney, Judgment ſhall be given againſt him upon the Principal for his default, and alſo (the Colluſion being proved) Execution had of all his Goods and Lands without the Place priviledged, as well thoſe Demiſed as others.

VI. Stat. 3. *Jac.* 1. 15. Every Citizen and Freeman of *London*, and every other perſon there inhabiting, being a Tradeſman, Victualler or Labourer, which hath any Debt due to him, amounting to 40 *s.* by any ſuch perſon aforeſaid, may cauſe the Debtor to be Summoned to the Court of Requeſts at *Guildhall*, upon a Writing to be left at the Debtors Houſe by an Officer of the ſame Court, or by ſome other reaſonable warning, to appear before the Commiſſioners there, who (or any three of them) ſhall have power to make Orders therein, to be Regiſtred in a Book, and duly obſerved by both parties.

VII. The Commiſſioners alſo (or any three or more of them) have power to Adminiſter Oaths both to the Parties and Witneſſes.

VIII. If any ſuch perſons as aforeſaid, for any ſuch Debt commence any Suit elſewhere againſt any other like perſon, and that it appear to the Judge upon the Defendants own Oath, or other ſufficient

Teſtimony, that he is a Freeman, or Inhabitant of *London*, as aforeſaid, and alſo that the Damages ſued for amount not to 40 *s.* the ſaid Judge ſhall not allow to the Plaintiff any Coſts of Suit at all, but ſhall award to the Defendant his reaſonable Coſts.

IX. None ſhall refuſe to appear upon due Summons, or to obey the Commiſſioners Orders, in pain to be Impriſoned in one of the Compters of the ſaid Officer, or any other of the Serjeants at Mace of the City, there to remain until their Orders be performed.

X. This Act ſhall not extend to any Debt for Rent, real Contracts, or concerning Teſtaments, Matrimony, or any thing belonging to the Eccleſiaſtical Court.

XI. Stat. 7 *Jac.* 1. 12. None keeping a Shop-book, his Executors or Adminiſtrators, ſhall be allowed to give it in Evidence for Wares or Work above one year before the Action brought; unleſs they have obtained a Bond or Bill for the Debt, or brought an Action thereupon within one year after the Wares delivered or Work done.

XII. This Act ſhall not hold place between Merchant and Merchant, Tradeſmen and Tradeſmen, or Merchant and Tradeſman, for any thing falling within the compaſs of their mutual Trades and Merchandiſe.

Debt to the King.

I. Magna Charta 8. 9 *H.* 3. The King nor his Bailiffs ſhall Levy any Debt upon Lands or Rents ſo long as the Debtor hath Goods and Chattels to ſatisfie: neither ſhall the Pledges be Diſtrained ſo long as the Principal is ſufficient; but if he fail, then ſhall the Pledges anſwer the Debt. Howbeit they ſhall have the Debtors Lands and Rents until they be ſatisfied, unleſs he can acquit himſelf againſt the Pledges.

II. Magna Charta 18. 9 *H.* 3. The Kings Debtors dying, the King ſhall be ſerved before the Executor.

III. Weſt. 1. 19. 3 *E.* 1. The Sheriff having received the Kings Debt, upon his next Account ſhall diſcharge the Debtor thereof, in pain to forfeit three times ſo much to the Debtor, and to make Fine at the Kings will.

IV. The Sheriff or his Heirs ſhall anſwer all Moneys that they who he employs do receive; and if any other that is anſwerable to the Exchequer by his own Hands do ſo, he ſhall render thrice ſo much to the Plaintiff, and make Fine as before.

V. Upon payment of the Kings Debt, the Sheriff ſhall give a Tally to the Debtor, and the Proceſs for Levying the ſame ſhall be ſhewed him upon demand without Fee, in pain to be grievouſly puniſhed.

VI. Artic. ſuper Chart. 12. 28 *E.* 1. Beaſts of the Plough ſhall not be Diſtrained for the Kings Debt, ſo long as others may be found, upon ſuch pain as is elſewhere ordained by Statute, (*viz.* by the Statute *De diſtrictione Scaccarii*, 51 *H.* 3. which ſee in *Diſtreſs.*)

VII. The great Diſtreſſes ſhall not be taken for his Debts, nor driven

driven too far; and if the Debtor can find convenient Surety, the Diſtreſs ſhall in the mean time be releaſed: and he that doth not otherwiſe, ſhall be grievouſly puniſhed.

VIII. Stat. 13 *Eliz.* 4. All the Lands, Tenements and Hereditaments, which any Accomptant of the Queen, her Heirs and Succeſſors, hath while he remains accomptable, ſhall, for the payment of the Debts of the Queen, her Heirs and Succeſſors, be liable and put in execution, in like manner as if ſuch Accomptant had ſtood bound by Writing obligatory (having the effect of the Statute-ſtaple) to her Majeſty, her Heirs and Succeſſors, for payment of the ſame.

IX. If this *ſuper* be not paid within ſix months after the Accompt paſt, the Queen, *&c.* may ſell ſo much of his Eſtate as will anſwer the Debt, and the overplus of the Sale is to be rendred to the Accomptant or his Heirs, by the Officer that receives the Purchaſe-money, without further Warrant.

X. If ſuch an Accomptant or Debtor purchaſe Lands in others names in truſt for their uſe, that being found by Office or Inquiſition, thoſe Lands alſo ſhall be liable to ſatisfie the Debt, in ſuch manner as before is expreſſed.

XI. Lands purchaſed by Accomptants ſince the beginning of the Queens Reign, either in their own names, or in the names of others in truſt for their uſe, ſhall be alſo liable to be ſold for the diſcharge of their Debts as aforeſaid, rendring the overplus to the Accomptant, as before.

XII. Provided, that Biſhops Lands ſhall be only chargeable for Subſidies or Tenths, as they were before the making of this Act, and not otherwiſe.

XIII. Neither ſhall this Act extend to charge any Accomptant whoſe yearly Receipt exceeds not 300 *l.* otherwiſe than as he was lawfully chargeable before this Act.

XIV. Neither ſhall this Act extend to ſuch Accomptants as by order of their Offices, and charge immediately after their Accompts paſt, are to lay out money again; ſuch as are the Treaſurers of War, Gariſons, Navy, proviſion of Victuals, or for Fortifications or Buildings, and the Maſter of the Wardrobe; unleſs the Queen, *&c.* command preſent pay.

XV. Neither doth this Act extend to Sheriffs, Eſcheators, or Bailiffs of Liberties, concerning whoſe Accompts the courſe remains the ſame that it was before.

XVI. Lands bought of an Accomptant *bona fide*, and without notice of any fraudulent intent in the Accomptant, ſhall be diſcharged: And if they be found by Office, yet ſhall they upon Traverſe be diſcharged without Livery, *Ouſter le main*, or other Suit.

XVII. The Queen, *&c.* being ſatisfied by ſale of Land, the Sureties ſhall be diſcharged for ſo much, and if any yet remain unpaid, the Sureties ſhall pay the reſidue ratably according to their abilities.

XVIII. Stat. 14 *Eliz.* 7. The Statute of 13 *Eliz.* 4. ſhall alſo extend to make the Lands, *&c.* and Goods of Under-Collectors

ſubſtituted by Biſhops, and (*Sede vacante*) by Dean and Chapter, to Collect the Tenths and Subſidies of the Clergy, liable to their Debts.

XIX. The ſaid Under-Collectors ſhall accompt in the Exchequer; and the Biſhop, and Dean and Chapter (*Sede vacante*) ſhall be diſcharged of ſo much as is Levied of the Under-Collectors Lands, *&c.* and Goods.

XX. Stat. 27 *Eliz.* 3. The Queen, *&c.* may make ſale of the Accomptants Lands, *&c.* as well after his death as in his life-time; and as well where the Accompt is made, and the Debt known within eight years after his death, as where the Accompt is made, and the Debt known in his life-time.

XXI. Provided, that after the Accomptants death, and before the Lands be ſold, a *Scire facias* ſhall be awarded to Garniſh the Heirs, to ſhew cauſe why Lands, *&c.* ſhould not be ſold, *&c.* whereupon if the Heir upon ſuch Garniſhment, or two *Nichils* returned, do not prove unto the Court, that the Executors or Adminiſtrators of the Accomptant have ſufficient, then, ten months after ſuch two *Nichils* or Garniſhment returned, the Lands, *&c.* ſhall be ſold, and diſpoſed according to the Statute of 13 *Eliz.* 4.

XXII. Nevertheleſs, the Heirs ſale *bona fide*, upon good conſideration, before the *Scire facias* awarded, ſhall be good to him that is not conſenting to defraud the Queen, *&c.*

XXIII. This Statute ſhall extend to all Officers of Receipts and Accompts to her Majeſty, and to no other.

XXIV. If the Debt grow in the Courts of the Dutchy or Wards, a privy Seal ſhall iſſue out againſt the Heir, to appear at a certain day, to ſhew cauſe, *&c.* when, if he appears not, upon *Affidavit* made that it was duly ſerved, an Attachment, with Proclamation, ſhall iſſue out againſt him, to be proclaimed in ſome open Market in the County where he dwelt 20 days (at leaſt) before the return thereof; whereupon if he appear not, the Lands, *&c.* ſhall be ſold and diſpoſed as aforeſaid.

XXV. The Heirs Lands ſhall not be ſold during his Minority; but at any time within eight years after his full age they ſhall be liable, as aforeſaid.

XXVI. If the Accomptant or Debtor had a *Quietus eſt* in his life-time, that ſhall diſcharge the Heir of the Debt.

XXVII. Stat. 7. *Jac.* 1. *cap.* 15. No Debt ſhall be aſſigned to the King, *&c.* by any Debtor or Accomptant, other than ſuch Debts as did before grow due originally to the Kings Debtor or Accomptant *bona fide*.

XXVIII. All Grants and Aſſignments of Debts to the King, *&c.* contrary to the true intent of this Act, ſhall be void.

Decies tantum.

† I. Stat. 38 *E.* 3. 12. If a Juror take any thing of either party,

to

to give his Verdict, and be Attainted thereof by Proceſs contained in the Article of Jurors of the 34 *E.* 2. 8. (*which ſee in* Jurors) he ſhall pay ten times ſo much as he hath taken, to be divided betwixt the King and the Proſecutor: and all Embracers that procure ſuch Inqueſt ſhall incur the like puniſhment.

II. If the Juror or Embracer have not whereof to make Gree, he ſhall ſuffer a years Impriſonment.

III. But no Juſtice or other Officer ſhall inquire of this Offence *ex Officio*.

Declaration.

I. Stat. 36 *E.* 3. 15. By the ancient Terms and Forms of Pleaders no man ſhall be prejudiced, ſo that the matter of the Action be fully ſhewed in the Declaration and in the Writ.

Deeds and Writings.

I. Stat. 1 *M. Seſſ.* 2. *cap.* 4. All Statutes, Recogniſances and Writings made by or to any perſon ſince the *6th* of *July* laſt, and before *Auguſt*, under the Name of any other than the Queen, ſhall be good.

II. This Act ſhall not extend to make good any Letters Patents, Commiſſion, Grants or other Writings made by the Lady *Jane Dudley* ſince the ſaid *6th* of *July* laſt.

Demurrers.

I. Stat. 27 *Eliz.* 5. After Demurrer joyned and entred, the Judges ſhall proceed and give Judgment according to the right of the cauſe and matter in Law, without regard to any defect in the Proceeding, except ſuch only as the party ſhall expreſs together with his Demurrer: after which time no Judgment ſhall be reverſed by Writ of Error for any other defect than ſuch as he ſhall there mention; and if there happen to be any other, the Judges may amend them.

II. This Act ſhall not extend to the proceeding in an Appeal of Felony or Murther, upon an Indictment, Preſentment, or Penal Statute.

Dilapidations.

I. Stat. 13 *Eliz.* 10. If any Eccleſiaſtical perſons, who are bound to repair the Buildings whereof they are ſeiſed in right of their Place or Function, ſuffer them to fall into decay for want of repair, and make fraudulent Gifts of their perſonal Eſtate, with purpoſe to hinder their Succeſſors from recovering Dilapidations againſt their Executors or Adminiſtrators; in ſuch caſe the Succeſſors ſhall have like remedy in the Eccleſiaſtical Court againſt the Grantee of

ſuch

ſuch perſonal Eſtate, as he might have had againſt the Executor or Adminiſtrator of the Predeceſſor.

II. Stat. 14 *Eliz.* 11. All Moneys recovered for Dilapidations ſhall within two years be employed upon the Buildings for which they were paid, in pain to forfeit to the Queen, *&c.* double ſo much as ſhall not be ſo employed.

☞ Diſceit.

* I. Weſt. 1. 29. 3 *E.* 1. If any perſon do act or conſent to any thing in diſceit of the Court or Party, and thereof be Attainted, he ſhall ſuffer a year and a days Impriſonment at leaſt; and if he be a Pleader, he ſhall be alſo expelled the Court: and if they ſhall deſerve greater puniſhment, it ſhall be at the Kings pleaſure.

II. Officers, Criers of Fee, and Marſhals of Juſtices in *Eyre*, ſhall not take Money otherwiſe than they ought to do, in pain to pay the treble thereof to the Complainants.

III. Stat. 2 *E.* 3. 17. A Writ of Deceit ſhall be maintainable as well in caſe of Garniſhment touching a Plea of Land, as in caſe of Summons in Plea of Land.

Diſcontinuance of Right or Eſtate.

I. Stat. 11 *H.* 7. 20. If a Woman that hath an Eſtate in Dower for life, or in Tail joyntly with her Husband, or only to her ſelf, or to her uſe, in any Lands, *&c.* of the Inheritance or Purchaſe of her Huſband, or given to the Huſband and Wife by the Huſbands Anceſtors, or any ſeiſed to the uſe of the Huſband or his Anceſtors, do ſole, or with an after-taken Huſband, diſcontinue, or ſuffer a recovery by covin, it ſhall be void; and he to whom the Land ought to belong after the death of the ſaid Woman, may enter (as if the Woman were dead) without diſcontinuance or recovery.

II. Provided, that the Woman may enter after the Huſbands death; but if the Woman were ſole, the recovery or diſcontinuance barreth her for ever.

III. This Act extends not to any recovery or diſcontinuance with the Heir next inheritable to the Woman, or by his conſent of Record Enrolled.

Diſcontinuance of Proceſs.

I. Stat. 11 *H.* 6. 6. No Suit before Juſtices of Peace ſhall be diſcontinued by a new Commiſſion of Peace.

II. Stat. 1 *E.* 6. 7. The death of the King ſhall not diſcontinue any Suit betwixt party and party; neither ſhall the variance between the Original and Judicial Proceſs in reſpect of the Kings Name be material as concerning any default to be alledged therefore.

III. Aſſiſes of *Novel diſſeiſin*, *Mortdanceſtor*, *Juris utrum*, or Attaints,

taints, ſhall not be diſcontinued by reaſon of death, new Commiſſions, Aſſociations, or the not coming of the ſame Juſtices, or any of them.

IV. Preferment of the Demandant for Plaintiff to be Duke, Archbiſhop, Marqueſs, Earl, Vicount, Baron, Biſhop, Knight, Juſtice of the one Bench or the other, or Serjeant at Law, ſhall not make the Suit abatable.

V. Preferment of a Juſtice of Aſſiſe, Gaol-delivery, or Peace, or of any other Commiſſioner, to the Dignities aforeſaid, or to be Sheriff, ſhall not leſſen his Power. *But note that*, to be Sheriff, *is altered by* 1 *M.* Parl. 1 8. *which ſee in* Sheriffs.

VI. New Juſtices of Gaol-delivery may give Judgment of a Priſoner found guilty of Treaſon or Felony, though he were reprieved by other Juſtices.

VII. No Proceſs or Suit before Juſtices of Aſſiſe, Gaol-delivery *Oyer* and *Terminer*, or Peace, or other of the Kings Commiſſioners, ſhall be diſcontinued by a new Commiſſion, or by the alterations of any of their Names.

VIII. Stat. 12 *Car.* 2. *cap.* 3. No Pleas, Writs, Plaints, Proceſs, *&c.* Pleaded, returned, or having day in the Court at *Weſtminſter*, at any the four firſt Returns of *Eaſter* Term 1660, or other day certain, ſhall be diſcontinued by not keeping the ſaid Returns: but are hereby continued and adjourned to the firſt Return of the ſaid Term.

IX. No Judicial Proceedings commenced before the 5*th* of *May* 1660. in the Stile or Teſte of *Cuſtod. Lib. Angl. &c.* or *Oliver* Lord Protector, *&c.* or *Richard* Lord Protector, *&c.* ſhall be diſcontinued by the Kings reaſſumption of the Government: nor ſhall the ſame be cauſe of Error.

☞ Diſpenſations.

I. Stat. 28 *H.* 8. 16. All Bulls, Breves, Faculties and Diſpenſations from the Biſhop or See of *Rome* to any of the Kings Subjects in any of the Kings Dominions, ſhall be void, and ſhall not be uſed, in pain of a *Præmunire*.

II. Former lawful Marriages are confirmed.

III. A Confirmation of all Archbiſhops and Biſhops, and their Authority, and of other Eccleſiaſtical Perſons and Orders by Authority of this Act, and not by any Forein Power.

IV. The Effect and Contents of all Bulls, Breves, and other Faculties purchaſed of the See of *Rome*, which are allowable, ſhall be confirmed under the Great Seal.

Diſtreſſes.

I. Stat. *De Diſtrictione Scaccarii*, 51 *H.* 3. The Owner of Impounded Cattel may give them Food without diſturbance.

II. A

II. A Diſtreſs taken for the Kings Debt, ſhall not be ſold within 15 days; and upon ſhewing of a Tally, and giving Surety for his Appearance in the Exchequer upon the next Accompt, the Diſtreſs ſhall ceaſe: the Sheriff ſhall alſo Attach the Party that received the Debt, to be there alſo at the ſame time.

III. Neither Draught-Cattel nor Sheep ſhall be diſtrained (except for *Damage feſant*) ſo long as other Goods may be found to ſatisfie the Debt: Diſtreſſes ſhall be reaſonable: The Sheriff ſhall anſwer all Debts received; and where the Sheriff chargeth himſelf, the Debtor ſhall be acquitted.

IV. Marlbr. 1. 52 *H.* 3. All perſons (high and low) ſhall receive Juſtice in the Kings Court.

V. None ſhall take any Diſtreſs of his own authority without Award of our Court, in pain (upon Conviction thereof) to be puniſhed by Fine, according to the Treſpaſs; and the party grieved ſhall be alſo recompenſed his loſs.

VI. Marlbr. 2. 52 *H.* 3. None ſhall diſtrain any to come to his Court that is not of his Fee, or upon whom he hath no Juriſdiction; neither ſhall Diſtreſſes be taken out of the Fee or Place where he hath no Jurisdiction: in pain that the Offender ſhall be puniſhed as before.

VII. Marlbr. 3. 52 *H.* 3. If any will not ſuffer Diſtreſſes to be delivered by the Kings Officers, or Summons, Attachments, or Executions of Judgments given in the Kings Court, to be done, he ſhall be puniſhed as aforeſaid.

VIII. If a Lord Diſtrain his Tenant for a thing which he hath cauſe to Diſtrain, and yet it is afterwards found not to be due; in ſuch caſe, if the Lord ſuffer the Diſtreſs to be delivered, he ſhall not be Fined, but only Amerced: nevertheleſs the Tenant ſhall alſo recover his Damages againſt him.

IX. Marlbr. 4. 52 *H.* 3. None ſhall drive a Diſtreſs out of the County wherein it was taken, in pain to make Fine, as before: And if a Lord preſume ſo to do againſt his Tenant, he ſhall be grievouſly Amerced.

X. None ſhall take an unreaſonable Diſtreſs, in pain to be grievouſly Amerced.

XI. Marlbr. 15. 52 *H.* 3. It ſhall be lawful to none (except the King, and his Officers having ſpecial Authority) to take Diſtreſſes out of his Fee, or in the Kings High-way, or in the common Street.

XII. Weſt. 1. 16. 3 *E.* 1. None ſhall drive a Diſtreſs out of the County, or Diſtrain wrongfully, or out of his Fee, in pain to be puniſhed as by the Statute of *Marlbr.* is provided, or more grievouſly, if the Treſpaſs ſo require.

XIII. Weſt. 1. 17. 3 *E.* 1. If Beaſts be Impounded in a Caſtle or Fortreſs, and (after convenient notice to the Impounder, *&c.*) not ſuffered to be Replevied by the Sheriff, or ſome other of the Kings Bailiffs, the King will command that Caſtle or Fortreſs to be demoliſhed: and (after the firſt demand of the Sheriff or Bailiff) the Plaintiff

Plaintiff ſhall recover double Damages againſt the Lord, or Impounder; or, if the Impounder be not able, then againſt the Lord only.

XIV. In this caſe, if the Bailiff of the Franchiſe refuſe to do it, then ſhall the Sheriff do it himſelf upon the aforeſaid pains.

XV. Alſo deliverance ſhall be made by Attachment of the Plaintiff made without Writ, and upon the ſame pain.

XVI. Weſt. 2. 36. 13 *E.* 1. None ſhall procure any to Diſtrain another to make him appear at the County Court, or any other inferiour Court, on purpoſe to vex him, and put him to charge and trouble, in pain to make Fine to the King, and to pay to the party grieved treble Damages.

XVII. Weſt. 2. 37. 13 *E.* 1. No Diſtreſſes ſhall be taken but by Bailiffs known and ſworn, in pain to reſtore Damages to the party grieved, and to be grievouſly puniſhed by the King.

XVIII. Artic. Cleri, 9. 9 *E.* 2. Diſtreſſes ſhall not be taken in the High-way, nor in the ancient Fees of the Church.

*XIX. Stat. 1. 2 *P. M.* 12. No Diſtreſs of Cattel ſhall be driven out of the Hundred where it is taken, except to a Pound overt within the ſame Shire, nor above three miles diſtant from the Place where it was ſo taken: neither ſhall a Diſtreſs be Impounded in ſeveral places, whereby the Owner may be conſtrained to ſue ſeveral *Replevins* for the delivery thereof: in pain to forfeit to the party grieved for every Offence committed againſt this Act, 5 *l.* and treble Damages.

XX. None ſhall take above 4 *d.* for the Poundage of one Diſtreſs, (and, where leſs is uſually taken, to take leſs,) in pain to forfeit to the party grieved 5 *l.* beſides what is taken above.

XXI. The Sheriff ſhall at his firſt County-day, or within two months after he receives the Patent, depute, and proclaim in the Shire-Town four Deputies to make *Replevins*, not dwelling above 12 miles diſtant from one another, in pain to forfeit for every month he wants ſuch Deputy or Deputies, 5 *l.* to be divided betwixt the King and the Proſecutor.

Dover: See Title Havens and Rivers, num. XIV.

I. Artic. ſuper Chart. 7. 28 *E.* 1. The Conſtable of *Dover* Caſtle ſhall not hold Plea of any forein County within the Caſtle-Gates, except it concern the keeping of the Caſtle: neither ſhall he Diſtrain the Inhabitants of the Five Ports to Plead elſewhere or otherwiſe than as they ought, according to the Form of their Charter, Confirmed by the Great Charter.

Dower.

I. Merton 1. 20 *H.* 3. A Woman deforced of her Dower or *Quarantine* in a Writ of Dower ſhall recover Damages, *viz.* the value

lue of her Dower from her Husbands death, to the day of the recovery of her Dower, and the Deforcer ſhall be Amercied.

II. Weſt. 1. 49. 3 *Ed.* 1. In a Writ of Dower (*unde nihil habit*) the Writ ſhall not abate by the Exception of the Tenant, that ſhe hath received her Dower of another before the Writ purchaſed, unleſs he can ſhew that ſhe received part of her Dower of himſelf, and in the ſame Town, before the Writ purchaſed.

III. Weſt. 2. 4. 13 *E.* 1. The Wife ſhall be Endowable as well where Land was recovered againſt her Husband by default, as by covin; ſo that albeit the Land was loſt by the Husbands default, yet that ſhall be no good Allegation for the Tenant, but he muſt then proceed and ſhew his Right, otherwiſe the Wife ſhall recover.

IV. When Tenant in Dower, in Frank-marriage, by the Courteſie, for Life or in Tail, loſe their Land by default, and the Tenant is compelled to ſhew his Right, they may vouch the Reverſioner, if they have Warranty; and then the Plea ſhall paſs betwixt the Tenant and the Warrantor, according to the tenour of the Writ, by which the Tenant recovered by default: and ſo from many Actions they ſhall reſort to one Judgment, *viz.* that the Demandants ſhall recover that Demand, and the Tenant ſhall go quit.

V. Here, if the Action of ſuch a Tenant which is compellable to ſhew his Right, be moved by a Writ of Right, albeit the great Aſſiſe or Battel cannot be joyned by words accuſtomed, yet ſhall it in that caſe be joyned by words convenient.

VI. If the Wife be wrongfully Endowed by the Guardian during the minority of the Heir, he (at full age) ſhall be righted: yet ſhall the Wife retain her juſt Dower, if ſhe make her Title good.

VII. By this Statute, in place of a Writ of Right, a *Quod ei deforceat* is given to Tenant in Dower, in Free-Marriage, by the Courteſie, for Life, and in Tail, upon loſing by default.

VIII. Stat. 1 *E.* 6. 12. The Wife ſhall be Endowed, albeit her Husband were Attainted, Convicted, or Outlawed for Treaſon or Felony, ſaving the Right of others. *But note that this Clauſe is altered for Treaſon by* 5 *E.* 6. 12, *Which ſee in* Treaſon.

☞ Drapery.

* I. Stat. 12 *E.* 3. 3. No Cloths made beyond Sea ſhall be brought into the Kings Dominions, in pain to forfeit the ſame, and to be further puniſhed at the Kings will.

* II. Stat. 11 *E.* 3. 5. Cloth-workers of ſtrange Lands which come into the Kings Dominions, ſhall have the Kings Protection, dwell where they pleaſe, and have convenient Franchiſes granted unto them.

III. Stat. *Of Cloths*, 25 *E.* 3. *Stat.* 4. All Cloths vendible ſhall be meaſured by the Kings Aulnager or his Deputies.

IV. Every Cloth of Ray ſhall be 28 yards long, and ſix quarters broad, and is to be meaſured by the Liſt: alſo the length of a

coloured Cloth ſhall be 26 yards, and the breadth 6 quarters and an half, and ſuch Cloths are to be meaſured by the Back. *But this Statute for the meaſure is altered by* 27 E. 3. *Stat.* 4.

* V. Stat. 27 *E.* 3. *Stat.* 1. 4. Cloths ſhall not be forfeit for want of meaſure, but the Aulnager ſhall meaſure them, and fix a Mark thereunto, expreſſing what each Cloth contains: and he ſhall take for his Fee of the Seller one Halfpeny for every Cloth which is of Aſſiſe, and a Farthing for an half-Cloth; but he ſhall take nothing for leſſer Cloths, neither ſhall he meddle with Cloths which are not to be ſold: and the Buyer ſhall pay according to the quantity of the Cloth.

VI. A Subſidy granted to the King of every Cloth, *viz.* a Cloth (not grained) of Aſſiſe 4 *d.* the half-Cloth 2 *d.* Scarlet 6 *d.* and 3 *d.* half grained 5 *d.* and 2 *d. ob.*

VII. Every Cloth paſſing half a Cloth By three yards, ſhall pay Subſidy for a whole Cloth.

VIII. No Subſidy ſhall be paid for an half-Cloth, nor for Cloth made for a mans own uſe, or Sealed by the Aulnager for Subſidy paid before.

IX. Cloths put to ſale before they be Sealed, ſhall be forfeited to the King.

X. Stat 50 *E.* 3. 7. Woollen Cloths ſhall not be Tranſported beyond Sea, or pay Subſidy before they be Fulled.

XI. Stat. 50 E. 3. 8. Cloths called *Friſe-ware* made of *Iriſh* Wooll, ſhall pay no Subſidy or Aulnage.

* XII. Stat. 3 *R.* 2. 2. The Aulnager ſhall not Seal a pieced Cloth, in pain that the Owner ſhall forfeit the Cloth, and the Aulnager his Office.

XIII. If he Seal a Cloth which is not of Aſſiſe, he ſhall forfeit the value of the Cloth and his Office, and beſides ſuffer Impriſonment, and be Ranſomed at the Kings will.

XIV. Stat. 7 *R.* 2. 9. A Confirmation of all Statutes made againſt deceit in Cloths to be ſold, and againſt Aulnagers and Collectors of the Subſidy of Cloths.

* XV. He that findeth defects in any Cloths contrary to former Statutes, ſhall have the value of the third part of ſuch Cloths, which nevertheleſs ſhall be anſwered to the King by the Aulnager, together with the reſt of the Cloths forfeited.

XVI. Stat. 13 *R.* 2. 10. *Cogware* and *Kendal* Cloth ſhall not be ſubject to the Statute of Aſſiſe of Cloth, but ſhall be made of ſuch length and breadth as formerly, ſo it be made alſo of ſuch courſe Wooll as formerly.

* XVII. Stat. 13 *R.* 2, 11. No plain Cloths tacked or folded, made in the Counties of *Somerſet*, *Dorſet*, *Briſtol*, and *Glouceſter*, ſhall be put to ſale before they be opened, in pain to forfeit them.

XVIII. The Workers, Weavers and Fullers, ſhall put their Seals to every Cloth, upon a certain pain to be limited by the Juſtices of Peace.

* XIX.

* XIX. Stat. 17 *R.* 2. 2. No Cloth ſhall be ſold before it is Meaſured and Sealed by the Aulnager, upon the pains contained in the Statutes thereof made.

XX. No deceits ſhall be uſed in Kerſeys, in pain to forfeit the ſame.

XXI. Stat. 4 *H.* 4. 24. The Aulnage may be let to Farm by improvement according to the diſcretion of the Lord Treaſurer and Barons of the Exchequer, notwithſtanding the Statute of 17 *R.* 2. *which ſee in* Officers.

XXII. Stat. 9 *H.* 4. 2. No Cloth called *Kendal*, whereof the dozen paſſeth not 6 *s.* 8 *d.* ſhall be Sealed, neither ſhall any Aulnage be paid for the ſame.

* XXIII. Stat. 11 *H.* 4. 6. None ſhall tack or pleight together Cloths before the Aulnager hath ſet his Seal unto them, in pain to forfeit the ſame.

* XXIV. If the Aulnager be Attainted to do contrary to this Statute, he ſhall forfeit to the King for the firſt Offence, 10 *l.* and for the ſecond, 20 *l.* and for the third Offence his Body ſhall be Arreſted, and all his Goods and Chattels at the Kings will. And here the Proſecutor ſhall have a fourth part of the ſaid Forfeitures of 10 and 20 *l.* ſaving to their Lords and other the Franchiſes.

* XXV. Stat. 11 *H.* 6. 9. This word *Cloth* in the aforeſaid Statutes of 7 *H.* 4. 10. and 11 *H.* 4. 6. ſhall be underſtood of Broad Cloth, and Broad dozens, and not of Streats.

XXVI. Every man may make and ſell all Streats containing in length 14 yards, and in breadth one yard, unwatered, or elſe 12 yards watered, paying to the King the due Aulnage, Subſidy, Cuſtoms, and other Devoirs.

XXVII. If Streats want the aforeſaid length and breadth, the Aulnager ſhall cut off the Liſt thereof at one of the ends, to the end it may be afterwards ſold as a Remnant, and not for a Cloth.

XXVIII. No ſuch Cloths ſhall be put to ſale until they be Meaſured, Searched and Sealed by the Aulnager, in pain to forfeit the ſame.

XXIX. The Aulnager that Sealeth any Streats wanting the length and breadth aforeſaid, and cutteth not off the Liſt, as aforeſaid, ſhall forfeit to the King for every ſuch piece of defective Cloth, 6 *s.* 8 *d.*

* XXX. Stat. 4 *E.* 4. 1. Broad Cloth made fit for ſale ſhall contain in length 24 yards, with a mans inch to be added to every yard, and is to be meaſured by the Creſt; and in Breadth 2 yards or 7 quarters at leaſt within the Liſts: And if the Cloth be longer, the Buyer ſhall pay for it (over and beſides) according to the rate.

XXXI. Streats made fit for ſale ſhall contain 12 yards and three ſuch inches in length, and one yard in breadth within the Liſts.

XXXII. Kerſeys made fit for ſale ſhall contain 18 yards and three inches in length, and in breadth a yard and a nail, or (at leaſt) a yard within the Liſts.

XXXIII.

XXXIII. Every half-Cloth, Streat and Kerſey ſhall keep his Meaſure in length and breadth according to the rate of the whole Cloth reſpectively.

XXXIV. None ſhall put into Cloth to be ſold any Lambs Wooll, Flocks or Cork, in pain to forfeit 20 *s.* for every Cloth or half-Cloth ſo mingled, to be divided betwixt the King and the Proſecutor.

XXXV. Provided, that Cloth may be made of Lambs Wooll only, and Cork may be uſed in Dying upon woaded Wooll, and Cloth made only of woaded Wooll, the ſaid Wooll and Cloth being perfectly boyled and maddered: Cork alſo may be put upon Cloth perfectly Boyled and Maddered.

XXXVI. Every Piece of Cloth ſhall be perfectly wrought throughout the whole Piece, according to the ſame order of Workmanſhip.

XXXVII. If any difference in Weaving, Fulling, Knotting, or Barking, or any Raw, Skaw, Cockle or Flag happen therein, a Seal of Lead ſhall be hanged on the loweſt part of the edge thereof, to the end the Buyer may take notice thereof.

XXXVIII. Cloths, Streats and Kerſeys of a true length, breadth and making, ſhall be Sealed at the end thereof with a double Print of Lead.

XXXIX. Cloths, Streats and Kerſeys, not containing the due length and breadth, or not perfectly made, and two parts thereof perfectly made, keeping their ſaid length and breadth, every ſuch Piece ſhall be Sealed in form aforeſaid.

XL. If a Cloth, Streat or Kerſey be longer than an half-Cloth, and ſhorter than an whole one, and yet have the true breadth, and be perfectly wrought, it ſhall have a Seal differing from the other two above ſaid, and fixed to the end thereof.

XLI. A Cloth, Streat or Kerſey, leſs than an half Cloth, ſhall be Sealed at the end thereof by a Seal differing from all the reſt.

XLII. All the ſaid Seals are to be ordained by the Lord Treaſurer for the time being, who hath power to make as many Keepers of them as he ſhall think neceſſary, ſo as one of them be Alien.

XLIII. Theſe Keepers ſhall yearly render an account of the Revenue of their Offices, without paying any Fees for the ſame, and ſhall alſo be rewarded by the Treaſurer and Barons according to their labour and diligence.

XLIV. If any of the ſaid Keepers be found faulty or corrupt in his Office, refuſe to Seal, extort more than his due Fees, or refuſe to ſhew his Commiſſion upon Sealing or Meaſuring any ſuch Cloth, he ſhall forfeit 20 *s.* to be divided betwixt the King and the Proſecutor, and to be recovered in the Exchequer.

XLV. This Statute, and others heretofore made and in force, which concern the Premiſſes, ſhall be inſerted in every ſuch Keeper of an Aulnagers Commiſſion.

XLVI. The Clothier ſhall pay to his Work-folks their Wages in

ready money, and not in Wares, as formerly, in pain to forfeit to ſuch Work-folks treble Damages; and ſhall deliver them Wooll according to due weight, in pain to forfeit *6 d.* for every ſuch default.

XLVII. Every Carder, Spinſter, Weaver, Fuller, Shearman and Dyer, ſhall duly perform their Duty in their Occupation, in pain to forfeit double Damages to the party grieved; and every Fuller in Fulling, Rowing or Tazelling of Cloth, ſhall uſe Tazels and not Cards, in pain to yield double Damages to the party grieved.

XLVIII. Every Juſtice of Peace, Conſtable of any Hundred, or Steward of a Leet out of Corporations, and in Corporations every Head Officer or Officers, where no Maſter is, and every Maſter, ſhall hear and determine ſuch Complaints, as well concerning the non-payment of the Labourers Wages as the Damages aforeſaid; for which ſaid Damages they ſhall alſo have power to commit the Offender to Priſon, until the party grieved be ſatisfied.

XLIX. The ſaid Juſtice and Officers have power, at the inſtance of any other perſon, to enquire after and puniſh ſuch Offenders by inflicting *2 s. 4 d.* upon them, to be paid to the King, or other Lord of the Liberty where ſuch Offence is committed.

L. No Cloth made in any other Region (except in *Wales*, *Ireland*, or taken at Sea without fraud) ſhall be brought into *England* to be ſold, in pain to forfeit the ſame.

LI. Stat. 7 *E.* 4. 2. The Inhabitants of the Hundreds of *Liſton*, *Taveſtock* and *Rouburgh* in *Devon*, may put Flocks into their Cloths, notwithſtanding the Statute of *6 E.* 4. 1. *Vide ſupra.*

* LII. Stat. 7 *E.* 4. 3. No perſon, Denizen or Stranger, ſhall carry beyond Sea any Woollen Yarn or Cloth not Fulled, in pain to forfeit the value thereof, to be divided betwixt the King and the Proſecutor.

LIII. Stat. 17 *E.* 4. 5. Woollen Cloths, half-Cloths, Streats and Kerſeys, being perfect in Making and Meaſure, ſhall be Sealed with Wax at both ends; except in *London* and *Briſtol*, which ſhall be Sealed with Lead.

LIV. The Lord Treaſurer hath power to Let to Farm the Subſidy and Aulnage of Cloths, and alſo the moiety of all Forfeitures of Cloths not duly Sealed, for which they ſhall be accomptable in the Exchequer.

* LV. Stat. 1 *R.* 3. 8. Broad Cloth ſhall be fully Watered before it be put to ſale; and every whole Cloth, and alſo Broad Cloth being Watered ready for ſale, ſhall contain in length 24 yards, each yard having a mans inch added thereunto, to be meaſured by the Creſt, and ſhall alſo contain in breadth two yards within the Liſts.

LVI. Every half ſuch Cloth ſhall contain in length 12 yards with inches, and to be meaſured by the Creſt, as aforeſaid, and in breadth two yards within the Liſts.

LVII. The half-Cloth ſhall not exceed 16 yards: in pain of cutting

cutting the whole Cloth in three pieces, and the half-Cloth in two pieces; and to loſe for every whole Cloth 6 *s.* 8 *d.* and for every half-Cloth 3 *s.* 4 *d.* not fully Watered, or not keeping the ſaid Meaſures.

LVIII. If a whole Cloth or half-Cloth exceed theſe Meaſures, the Buyer ſhall pay for the exceſs: Howbeit the half-Cloth muſt not paſs 16 yards.

LIX. Streats ſhalll contain in length 12 yards with inches, as aforeſaid, and in breadth one yard within the Liſts, in pain to have each of them cut in two pieces, and beſides to forfeit for each of them 20 *d.*

LX. Kerſeys ſhall contain in length 18 yards with the inches, as aforeſaid, and in breadth one yard and a nail at leaſt, in pain to have them cut, as aforeſaid, and to forfeit for each of them 3 *s.* 4 *d.*

LXI. The Lord Treaſurer ſhall appoint Seals for Cloth to be made, having the Kings Arms Printed on the one ſide, and the Arms, Sign or Token of the City, Borough or Town, or the Name of the County where they are made, on the other ſide.

LXII. The Lord Treaſurer ſhall make none Aulnager, Sealer, or Keeper of the Seal, but him that is expert in Cloth-working, and worth 100 *l.* at leaſt; and the Officer ſo deputed ſhall Seal no Cloth but ſuch as is made within the Limits of his Deputation, in pain to forfeit to the King for every whole Cloth 5 Marks, for an half-Cloth 33 *s.* 4 *d.* for a Streat 20 *s.* and for a Kerſey 10 *s.*

LXIII. None ſhall ſet or draw in length or breadth any Cloth fully Watered, by Tentering or otherwiſe, in pain to forfeit the ſame.

LXIV. None ſhall ſet, caſt or put upon Cloth any Flocks, Chalk, or other deceitful thing, in pain of 40 *s.* for every Cloth ſo uſed.

LXV. No Shear-man or other ſhall ſhear or cancel any Cloth not fully Watered, upon the like pain of 40 *s.* for every Cloth.

LXVI. None ſhall convey any Cloth beyond Sea not fully Watered, and after it is ſo watered, it ſhall not be ſet or drawn in length or breadth, in pain of 40 *s.* for every Cloth ſo conveyed.

LXVII. None ſhall retail Cloth before it be fully Watered, and being ſo Watered, it ſhall not be ſet or drawn, as aforeſaid, in pain that the Seller ſhall forfeit the ſaid Cloth, or the value thereof.

LXVIII. None ſhall keep in his houſe any Tenter or other Engine whereby Cloth may be drawn in length or breadth, in pain of 20 *l.* but Tenters ſhall be ſet in open places, and uſed only for the due ſtretching of Cloth after it cometh from the Mill, and before it be Rowen. And all head-Officers ſhall take care that Cloth put upon Tenters ſhall not be unduly drawn in length or breadth.

LXIX. No ſtranger ſhall buy any Wooll which ſhall paſs through the Straits of *Marroke*, ſorted, clacked or barked nor any Wooll whereof any Locks or Refuſe ſhall be made, but ſuch as is clipped and purely wound without deceit, and Merchantable, according to the growing of the Countrey, without ſuch ſorting, clacking or refuſe, as aforeſaid, in pain to forfeit ſuch Wooll, and the double value thereof.

LXX. No Dyer ſhall Dye any Cloth with Orchel or Cork, in pain of 40 *s.* neither ſhall any put to ſale any Cloth ſo Dyed, in pain to forfeit the ſame. Howbeit Cork made within this Realm may be uſed in Dying upon Wooll wards, ſo that the Wooll and Cloth be perfectly boyled and Maddered: alſo ſuch *Engliſh* Cork may be put upon Cloth that is perfectly boyled and maddered.

LXXI. Every Dyer ſhall Dye both the Cloth and the Liſt with one and the ſame colour, in pain to forfeit the ſame.

LXXII. None ſhall put to ſale any Cloth deceitfully Dyed, in pain to forfeit the ſame, or the value thereof.

LXXIII. Faulty Cloth ſhall be brought to the chief Officer of the Place where it is ſeiſed, and ſhall be cut in three parts, whereof the Seiſor ſhall have one, another ſhall be by him carried into the Exchequer, and the third the ſaid Officer ſhall have for the uſe of the Commonalty.

LXXIV. All other Forfeitures of this Act ſhall be divided betwixt the King and the Proſecutor.

LXXV. The Statute ſhall not extend to Cloth called Ray, or joyned with Ray, Plonkets, Turkins, Celeſtrines, Packing Whites, Veſſes, Cogware, Worſteds, Florences, Baſtards, Kendals, Sailing-Ware, or Frize-Ware; the ſaid Cloths being perfectly made, according to their nature and true making.

* LXXVI. Stat. 3 *H.* 7. 11. None ſhall Tranſport any Woollen before it is Barbed, Rowed, and Shorn, in pain to forfeit the value thereof, to be divided betwixt the King and the Proſecutor; except Veſſes, Rays, Sailing-Cloths, and other ſold at 40 *s.* or under.

LXXVII. Stat. 3 *H.* 8. 7. The Stat. of 7 *E.* 4. 3. and 2 *H.* 7. 11. are Confirmed; only Veſſes, Rays, Sailing-Cloths and others, not exceeding four Marks the Cloth, may be Tranſported.

* LXXVIII. Stat. 5 *H.* 8. 2. None ſhall make white Streats to ſell, but when they are raw ready to be Toked, and being a yard and half a quarter broad, and 15 yards long, and except the Maker ſet his ſpecial Mark upon them, neither ſhall any uſe anothers Mark, in pain to forfeit the Cloths otherwiſe made or marked, to be divided betwixt the King and the Seiſer.

* LXXIX. Stat. 5 *H.* 8. 3. White Cloths at five Marks and under, may be conveyed beyond the Sea Unbarbed, Unſhorn, and Unrowed.

LXXX. None ſhall convey beyond Sea any ſuch Cloths worth above five Marks the Piece Unbarbed Unſhorn, Unrowed, in pain to forfeit the value thereof, to be divided betwixt the King and the Proſecutor.

* LXXXI. Stat. 6 *H.* 8. 8. The Statute of 5 *H.* 8. 2. is made perpetual; and none ſhall make white or ruſſet Streats, (which being raw) ſhall not be of length and breadth, and marked, as by the ſaid Stat. of 5 *H.* 8. 2. is ordained, and ſhall not weigh 14 pounds the Piece at leaſt, in pain to forfeit the ſame, to be divided betwixt the King and the Seiſer.

* LXXXII.

* LXXXII. Stat. 6 H 8. 9. The Wooll delivered by the Clothier for Breaking, Kembing, Carding or Spinning, ſhall be by juſt weight of *Avoir du pois*, not exceeding above one quarter for the waſte in 12 pound of ſeimed Wooll; and the Breaker, Kember, Carder, & Spinner, ſhall re-deliver to the Clothier the ſame Wooll, or Woollen Yarn, by the ſame weight, (the waſte thereof excepted) without concealing any part thereof, or putting any thing therein deceitfully, in pain to forfeit to the Lord of the Leet where the Work is done, for every ſuch default 12 *d.* upon proof thereof before the Head Officer there, calling to him fit perſons to prove the ſame.

LXXXIII. The Weaver ſhall put all the Yarn delivered unto him into the Web, or reſtore it, without putting any thing deceitfully thereunto, in pain of 3 *s.* 4 *d.*

LXXXIV. None ſhall buy any coloured Wooll or Yarn of any Carder, Spinner or Weaver, but in open Market, in pain to forfeit the ſame.

LXXXV. The Walker and Fuller ſhall duly work every Web without Flocks or other deceit, and ſhall not row or work it on either ſide with Cards, in pain of 6 *s.* 8 *d.*

LXXXVI. None ſhall put to ſale any Cloth which (being wet) ſhall ſhrink above one yard in length, and one quarter in breadth, for the more part thereof, or Narrows or Streats after that rate, in pain of 6 *s.* 8 *d.* and to abate the Buyer for ſuch defect.

LXXXVII. None, after he hath bought Cloth, ſhall draw or ſtrain it in length or breadth with Tenter, Wrinch, or otherwiſe, in pain of 5 *l.*

LXXXVIII. Provided that ſuch Buyer (having for proof-ſake fully wet Cloth) may draw and ſtrain them for evening them only, ſo that he exceed not one yard of the length it had when it was fully wet.

LXXXIX. None ſhall put upon Cloths any Flocks or other deceit, in pain of 20 *s.*

XC. The buyer and ſeller of Cloths ſhall meaſure them by yard and inch of the Rule, and not otherwiſe, in pain of 5 *l.*

XCI. The Forfeitures aforeſaid ſhall be divided betwixt the King and the Proſecutor.

XCII. This Act ſhall not extend to *Kendals*, *Carpnel* Whites, *Toſtocks* made in *Devon*, Cloths made in *Cornwall*, Cottons or Frize made in *Wales*, *Lancaſhire* or *Cheſhire*.

XCIII. Stat. 14 & 15 *H.* 8. 111 The Stat. of 6 *H.* 8. 9. touching the ſhrinking of Cloths, ſhall not extend to Veſſes or ſet Cloths, when they exceed not the value of 40 *s.* the Cloth.

* XCIV. Stat. 25 *H.* 8. 18. None ſhall make Cloth in *Wouceſterſhire*, but only ſuch as dwell in *Worceſter*, *Eveſham*, *Droitwich*, *Kiderminſter*, and *Bromiſgrave*, in pain to forfeit for every Cloth elſewhere made, 40 *s.*

* XCV. This Act ſhall not extend to Cloths made for any perſons own uſe, their Children or Servants.

* XCVI. Stat. 27 *H.* 8. 12. Every Clothier ſhall cauſe his Mark to be woven in his Cloths and Kerſeys, and ſhall ſet a Seal of Lead thereunto, ſhewing the true length thereof, as they will hold being wet: and in caſe of defect, the Clothier ſhall forfeit the double value thereof to the Buyer.

XCVII. If the Clothier put any Cloths to ſale before they be Sealed by the Aulnager, or order them not as aforeſaid, they ſhall be forfeited, and divided betwixt the King and the Proſecutor.

XCVIII. Broad Cloth ſhall hold ſeven quarters in breadth betwixt the Liſts, being proved by the Water, and Kerſeys one yard, in pain of 3 *s.* 4 *d.* for that, and 20 *d.* for this, to be divided betwixt the King and the Proſecutor.

XCIX. This Statute ſhall not extend to Cloths not exceeding ſeven Nobles the Cloth, nor to *Taveſtock*, Weſtern Dozens, Frizes, *Kendals*, Cottons, nor courſe Cloths made for Linings.

C. The Aulnager ſhall not Seal Cloths until they be Sealed by the aforeſaid Seal of Content, in pain to loſe his Office; neither ſhall the Buyer afterward alter them by ſtretching, unleſs he after reduce them to the right Content again, in pain to forfeit the double value thereof, to be divided as aforeſaid.

* CI. Stat. 27 *H.* 8. 15. Every white Woollen Cloth ſold for 4 *l.* and under, and every coloured Cloth ſold for 3 *l.* and under, may be conveyed beyond Sea Unbarbed, Unſhorn and Unrowed; but none ſhall convey ſuch Cloths beyond Sea above theſe Prices, in pain to forfeit the value thereof, to be divided betwixt the King and the Proſecutor.

* CII. Stat. 33 *H.* 8. 3. *Welſh* Cloths called Whites, Ruſſets and Kennets, brought into Fairs or Markets to be ſold, ſhall be ſold in Pleights or Cuttles, and not hard rolled together, in pain to forfeit the ſame, to be divided betwixt the King and the Proſecutor.

* CIII. Stat. 33 *H.* 8. 19. None ſhall Ship any white Woollen Cloth above the value of 4 *l.* nor coloured above 3 *l.* Unrowed, Unbarbed, or Unſhorn, with an intent to convey it beyond Sea, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the Proſecutor.

* CIV. Stat. 3 & 4 *E.* 6. 2. Every Clothier ſhall ſet his Seal of Lead to his Cloth, declaring juſt the length thereof, to be tried by the Water.

CV. None ſhall ſtretch any Cloth above a yard and a half in length, and a quarter in breadth, in pain of 40 *s.*

CVI. None upon the ſaid pain ſhall put to Sale any Cloth which (being wet) ſhall ſhrink above a yard and a quarter in length, or a quarter in breadth: neither ſhall Streats or Kerſeys be ſtretched above a yard in length, and half a quarter in breadth, in pain of 20 *s.*

CVII. None ſhall put to ſale any Cloth, Narrow, Streat or Kerſey, the Pieces whereof (being wet) ſhall ſhrink more than after the ſame Rates, in pain of 20 *s.*

CVIII. None ſhall Dye any Cloth before it be perfectly Boyled,

Grieved,

Grieved, or Maddered upon the Woad, and well Shot with good Cork, or Orchel, in pain of 20 *s.*

CIX. None ſhall dye any Wooll to be converted into Cloth, Hats or Caps, before it be perfectly Woaded, Boyled and Maddered, in pain to forfeit for every ſuch Cloth, or ſo much Wooll as makes a Cloth, 40 *s.* neither ſhall any dye with Braſil to make a falſe colour in Cloth, Wooll, Hats or Caps, in pain of 20 *s.*

CX. None ſhall put upon Cloth any Flocks, Chalk, Flour, Starch, or other deceivable thing, in pain of 40 *s.*

CXI. None ſhall uſe any Iron Cards or Pickards in Rowing of Cloth, in pain to forfeit the ſame, and 20 *s.* beſides.

CXII. None ſhall ſell any Cloth by other Meaſure than Yard and Inch, according to the Stat. of 6 *H.* 8. 9. in pain to forfeit for every yard otherwiſe meaſured, 6 *s.* 8 *d.*

CXIII. None ſhall put to ſale within this Realm any Cloth preſſed, in pain to forfeit the ſame, or the value thereof.

CXIV. Juſtices of Peace and Head-Officers ſhall in their ſeveral Precincts appoint and ſwear Officers for the due obſerving of this Statute concerning the well ordering of Cloth, who ſhall have power to make Search accordingly.

CXV. The Forfeitures for defaults in Cloth (mentioned in that Statute) ſhall be recovered in any Court of Record, and ſhall be divided betwixt the King and the Overſeer that diſcovers them: but in caſe the Overſeers will not ſue for them within half a year, then may any other within another half year take the Suit, and ſhall have the Overſeers moiety.

CXVI. No Overſeer duly choſen, ſhall refuſe to execute that Office, in pain of 40 *s.* and ſhall remain in the cuſtody of the Sheriff until he pay it, or give Security for it; and this ſhall be divided betwixt the King and the Juſtices of Peace or Head-Officers that choſe him.

CXVII. The Overſeers, or two of them at leaſt, ſhall once every Quarter make due Search for the true executing of this Statute, in pain of 10 *l.* to be divided betwixt the King and the Proſecutor.

CXVIII. None ſhall interrupt the Overſeers in the due execution of their Office, in pain of 20 *l.* to be divided betwixt the King and the Overſeers ſo interrupted.

CXIX. None ſhall take advantage of the Forfeitures given by this Act, unleſs the Suit for them be commenced within one year after they accrue.

CXX. Every Clothier ſhall cauſe the Letter *E* crowned to be wrought in every Cloth, in pain of 20 *s.* to be divided betwixt the King and the Proſecutor.

* CXXI. Stat. 5 & 6 *E.* 6. 6. Every Broad Cloth made in *Kent*, *Suſſex* or *Reading*, or of like making with them, (being through wet) ſhall contain in length betwixt 28 and 30 yards uſual meaſure, and in breadth 7 quarters throughout within the Liſts; and being well ſcoured, thicked, milled and dried, ſhall weigh 90 pounds at leaſt.

CXXII. Every white Cloth made in *Worceſter*, *Coventry*, or elſe-where of like making, (being wet) ſhall contain in length betwixt 29 and 30 yards with inches of the Standard, and 7 quarters throughout in breadth betwixt the Liſts, and, being ordered as aforeſaid, ſhall weigh 84 pounds at leaſt: and every coloured Cloth there ſhall contain like length and breadth, and ſhall weigh 80 pounds at leaſt.

CXXIII. White ſhort *Worceſters* ſhall contain in length (being wet) betwixt 23 and 25 yards with inches as aforeſaid, and in breadth as aforeſaid, and ſhall weigh 60 pounds at leaſt.

CXXIV. Coloured long Cloths made in *Suffolk*, *Norfolk*, *Eſſex*, and elſewhere of like ſort, ſhall contain in length (being wet) betwixt 20 and 30 yards and inches, and in breadth 7 quarters, and ſhall weigh 80 pounds at leaſts: and coloured ſhort Cloths there and elſewhere, ſhall contain in length betwixt 23 and 25 yards, and the breadth aforeſaid, and ſhall weigh 64 pounds at leaſt: alſo coloured or white Handy-warps there and elſewhere ſhall be of like breadth, and every yard thereof ſhall weigh 3 pounds.

CXXV. All Whites and Reds in *Wilts*, *Glouceſterſhire*, and *Somerſet*, and elſewhere of like making (being wet) ſhall contain in length betwixt 26 and 28 yards, and 7 quarters in breadth, and weigh (being white) 64 pounds; but coloured 60 pounds at leaſt: alſo Plunkets, Azures, Blews, and other coloured Cloths made there and elſewhere, ſhall contain in length betwixt 25 and 28 yards, be of the ſame breadth, and ſhall weigh 88 pounds.

CXXVI. Ordinary Kerſeys ſhall contain in length betwixt 17 and 18 yards, and ſhall weigh 20 pounds; and ſorting Kerſeys ſhall have equal length, but ſhall weigh 13 pounds.

CXXVII. The length of *Devonſhire* Kerſeys called *Dozens*, ſhall be betwixt 12 and 13 yards, and their weight 14 pounds.

CXXVIII. The length of Broad Cloths called *Tauntons*, *Bridgwaters*, and the like, ſhall be betwixt 12 and 13 yards, and their breadth 7 quarters: and every narrow Cloth made there or elſewhere of like ſort, ſhall contain in length betwixt 24 and 25 yards, and in breadth one yard, and ſhall weigh 34 pounds.

CXXIX. Check Kerſeys and Streats ſhall contain in length betwixt 17 and 18 yards, and in breadth one yard, and ſhall weigh 24 pounds.

CXXX. Frizes in *Wales*, and elſewhere of like making, ready for ſale and wet, ſhall contain 36 yards at moſt in length, 3 quarters in breadth, and ſhall weigh 48 pounds; and every half Piece after the ſame rate.

CXXXI. Northern Cloths ſhall be betwixt 23 and 25 yards long, and 7 quarters broad, and ſhall weigh 66 pounds.

CXXXII. Dozens ſhall be betwixt 12 and 13 yards long, and 7 quarters broad, and ſhall weigh 33 pounds.

CXXXIII. Pennyſtones and Foreſt-whites ſhall be betwixt 12 and 13 yards long, and 6 quarters and a half broad, and ſhall weigh 38 pounds.

CXXXIV.

CXXXIV. *Manchester*, *Lancashire*, and *Cheshire* Cottons shall be 22 yards long, and 3 quarters broad, and shall weigh 30 pounds.

CXXXV. *Manchester* Rugs or Frizes shall be 36 yards long, 3 quarters broad, shall not be stretched above a nail, and shall weigh 48 pounds.

CXXXVI. If any put to sale any of the Broad Cloths aforesaid not of the due length, breadth or weight aforesaid, they shall forfeit for every Cloth defective or exceeding in length or breadth 40 *s.* and for every pound it wants (not exceeding four) 2 *s.* the pound; and if it want more than four, they shall forfeit 40 *s.*

CXXXVII. Provided, if Broad Cloth exceed the due length by reason of the fineness or stuffy making thereof, the maker shall not incur any Penalty thereby.

CXXXVIII. If any put to sale any other Cloths above specified not of due length, breadth and weight as aforesaid, they shall forfeit 20 *s.*

CXXXIX. None shall put any Flocks or Yarn made of Lambs-Wooll into any of the aforesaid Cloths, in pain to forfeit the same, or the value thereof.

CXL. None shall put any Cloth or Kersey to sale before they have paid the Aulnager his due Fee, in pain of 20 *s.*

CXLI. No Cloth shall be Transported before the Seals of the Aulnager and Owner be put thereon, in pain to forfeit the same, or the value thereof.

☞ CXLII. No Retailer of Cloth shall put it to Seal before he have tried it by Water, Measure, and Weight, and shall present the defect thereof to an Head-Officer, or two next Justices of Peace, in pain to forfeit the double value thereof: And the Cloth found defective, shall be divided into three parts; whereof the King shall have one, the Prosecutor another, and the Head-Officer or two Justices the third.

CXLIII. The Clothier shall repay to the Buyer of faulty Cloth his Money again, or otherwise satisfie him for the same, in pain to forfeit to the party grieved the double value thereof.

CXLIV. None shall stretch Cloth above a yard in length, and an half quarter in breadth, in pain of 5 *l.*

CXLV. None shall use with his Tenter any Wrinch, Rope, Ring, or other Engine, to strain or stretch Cloth, in pain of 20 *l.*

CXLVI. Two or more Searchers of Cloth shall be appointed in every Place where Cloth is made, who being sworn, shall have power to enter into all Houses where Cloth is made or wrought, to make search whether the Cloths are well Dressed and Pressed with the cold Press: and the moiety of all Forfeitures thereupon accruing shall the King have, and the other shall be given to the use of the Commonalty or Town where the Offence or Default is committed or made.

CXLVII. The Party with whom such defective Cloth is found, shall recover Damages against the Party that was the cause thereof, by Action of Debt, *&c.*

CXLVIII.

CXLVIII. The Head-Officer of every Town ſhall prepare a Seal of Lead, having the Arms and Name of the Town Printed thereupon, which Seal the Searchers ſhall fix to every Cloth well made, and ſhall have for every Seal ſo fixed 2 *d.*

CXLIX. If the Searchers find any faulty coloured Cloth, they ſhall at each end fix another Seal of Lead, having the Letter *F* Printed thereupon, and ſhall alſo in the Liſt (juſt againſt the fault) ſet another Mark of an inch compaſs, to the end the Buyer may readily diſcover where the fault is.

CL. If the Searchers ſet the Town-Seal to Cloth not ſufficiently Dreſſed, the Corporation ſhall forfeit the value thereof.

CLI. If the Searchers ſet the Town-Seal to faulty Cloth, or do not ſet the Letter *F* above expreſſed thereunto, the Corporation ſhall forfeit 5 *l.*

CLII. No Retailer of Cloth ſhall put it to ſale, unleſs the ſaid Town-Seal be fixed thereunto; and he ſhall keep it fixed at one end thereof until it be all ſold; in pain to forfeit the value of ſuch Cloth.

CLIII. The Corporation that appoints not ſuch Searchers, ſhall forfeit 10 *l.* and the Searcher that refuſeth to execute the Office, ſhall forfeit 5 *l.* to be divided betwixt the King and the Corporation, and ſhall be in Ward until he pay, or give Security for it.

CLIV. None ſhall Preſs any Cloth with the hot Preſs, nor in any other deceivable manner, but only with the cold Preſs, in pain to forfeit the ſame, or the value thereof.

CLV. If any (but perſons authoriſed by this Act) counterfeit, ſet to, or take away from any Cloths, any of the Seals appointed by this Act, he ſhall forfeit for the firſt Offence (being thereof convict by 12 Men, two Witneſſes, or his own Confeſſion) 10 *l.* and for the ſecond ſhall ſtand upon the Pillory, and forfeit all his Goods and Chattels to the King.

CLVI. Every Article in any Statute heretofore made concerning the making, Dying, Preſſing, Searching, or Sealing any of the Cloths above in this Act mentioned, and being repugnant or contrariant to any Article of this Statute, ſhall be void.

CLVII. The Forfeitures aboveſaid (not otherwiſe appointed) ſhall be divided betwixt the King and the Proſecutor.

CLVIII. Provided it ſhall not be lawful to Boyl Wooll (to be converted into Cloth) with Galls, Rinds, Bark, or Saw-duſt, in pain to forfeit the ſame, or the value thereof, to be recovered and had as aforeſaid.

CLIX. This Act ſhall not extend to *Devonſhire* Cloths called *Taveſtocks.*

CLX. Stat. 5 *&* 6 *E.* 6. 8. No perſon ſhall weave or make, or put to weaving or making, broad Woollen Cloth, unleſs he hath been ſeven years Apprentice to that Art.

CLXI. Stat. 1 *M. Parl.* 3. 7. Any perſon may make Broad Cloth, and put them to Weaving, Walking, Fulling, Dying and Shearing,

ſhearing, without any impediment, ſo that the Cloth be duly made according to the Statute of 5 & 6 E. 6. 6. notwithſtanding the Statute of 5 & 6 E. 6. 8. or any other Statute of Cloth-making made to the contrary.

* CLXII. Stat. 2 & 3 P. M. 11. No Clothier in any Corporation or Market-Town ſhall keep in his Houſe above one Loom, or let any Loom, or Houſe and Loom together, to make Profit thereby, in pain to forfeit for every week he ſo keepeth or letteth them, 20 s.

CLXIII. No Weaver in the ſaid Places ſhall keep above two Looms in his Houſe to make Profit thereof, in pain to forfeit for every week he keeps more, 20 s.

CLXIV. A Weaver (being no Cloth-maker) ſhall not keep any Tucking-Mill, nor uſe the Art of a Tucker, Fuller or Dyer, in pain of 20 s. for every week.

CLXV. No Tucker or Fuller ſhall have in his Houſe any Loom to make Profit thereof, in pain of 20 s. for every week.

CLXVI. None ſhall make any broad white Woollen Cloths but in a Corporation, Market-Town, or other Place where they have been made 10 years before the making of this Act, in pain of 5 l. for every Cloth otherwhere made.

CLXVII. No Weaver in a Corporation or Market-Town, ſhall have above two Apprentices at one time, in pain of 10 l.

CLXVIII. None ſhall be a Weaver but he who hath been 7 years an Apprentice in that Art, in pain of 20 l.

CLXIX. This Act ſhall not extend to the Counties of *York*, *Cumberland*, *Northumberland*, and *Weſtmorland*.

* CLXX. Stat. 2 & 3 P. M. 12. No Cloths called *Bridgewater*, *Taunton* and *Chard* Cloths, and made in the County of *Somerſet*, ſhall be ſold there before they be Viewed, Searched and Sealed in *Bridgewater*, *Taunton* or *Chard*, according to the Statute of 5 & 6 E. 6. 6. in pain to forfeit the Cloth ſo ſold, or the value thereof, to be divided betwixt the King and the Proſecutor.

CLXXI. Stat. 4 & 5. P. M. 5. White *Worceſters*, and all others of like making, being well Scoured, Thicked, Milled, and fully Dried, ſhall weigh 75 pounds.

CLXXII. Broad Cloths made in the Counties of *Wilts*, *Glouceſter*, and *Somerſet*, and all others of like making, ordered as aforeſaid, ſhall weigh 61 pounds.

CLXXIII. Broad Cloths made in *Kent*, *Suſſex*, and *Reading*, and all others of like making, ordered as aforeſaid, ſhall weigh 86 pounds.

CLXXIV. Courſe ſhort Cloths made in *Suffolk*, *Norfolk*, *Kent*, and *Eſſex*, and others of like ſort, ſhall contain at the Water 6 quarters and an half in breadth.

CLXXV. Handy-warps, ordered as aforeſaid, ſhall contain the breadth ordained by the Statute of 5 & 6 E. 6. 6. and ſhall weigh two pounds and an half.

CLXXVI.

CLXXVI. None ſhall add Handy-warp-Liſts to their Cloths, (except in *Worceſter*, and when the Warp thereof is Spun upon the Rock or Diſtaff) in pain to forfeit the Cloth, or the value thereof.

CLXXVII. None in the Weſt-Riding of *Yorkſhire* ſhall make any Broad Cloths, Pewks, Tawnies, Violets or Greens, except the Wooll thereof, being firſt converted into Yarn, be firſt Dyed blue, of the value of 2 *d.* the pound, in pain to forfeit ſuch Cloth, or the value thereof.

CLXXVIII. Ordinary Kerſeys ſhall contain in length (in the Water) betwixt 16 and 17 yards, (yard and inch) and being ordered as aforeſaid, ſhall weigh 19 pounds the Piece. And ſorting Kerſeys (ſo ordered) ſhall weigh 22 pounds.

CLXXIX. *Devonſhire* Kerſeys (ordered as aforeſaid) ſhall weigh after the rate of one pound the yard.

CLXXX. *Welſh* Cottons (in the Water) ſhall contain 3 quarters of a yard in breadth, and ſhall weigh one pound and a half the Goad, and being well Cottoned, ſhall weigh one pound at leaſt.

CLXXXI. No Retailer of Cottons ſhall Dreſs it himſelf, or by any other, ſave only by a proper Dreſſer thereof, in pain to forfeit for every Piece otherwiſe Dreſſed, 6 *s.* 8 *d.*

CLXXXII. *Mancheſter*, *Lancaſhire*, and *Cheſhire* Cottons, and *Mancheſter* Ruggs and Frizes, may be divided into two half Pieces, and ſhall contain in length and breadth as by the ſaid Statute of 5 *&* 6 *E.* 6. is ordained for the whole Piece.

CLXXXIII. If any Cloth or Kerſey exceed the length preſcribed by this or the ſaid Statute of *E.* 6. then every yard ſo exceeding ſhall weigh according to the rate of the due length thereof, in pain to forfeit for every yard not weighing after that rate, 5 *s.* And if any ſuch Cloth or Kerſey lack any of the due length, the Maker ſhall forfeit for every pound wanting more than 4 pounds, 5 *s.* and for every pound under 4 pounds, 2 *s.*

CLXXXIV. If any Cloth or Kerſey prove defective or ill wrought, the Maker thereof ſhall fix to each end thereof a Seal of Lead Engraven with this word *Faulty*, in pain to forfeit ſuch Cloth and Kerſey, or the value thereof.

CLXXXV. If any by himſelf or any other, counterfeit, ſet to, or take away any Seal appointed by this or the ſaid Statute of *E.* 6. he ſhall not incur ſuch Penalties as by the ſaid Statute of *E.* 6. are limited.

CLXXXVI. The Borough or Corporation-Seal ſhall be ſet to Cloths, *&c.* being well made there; which Cloth ſo Sealed, ſhall not be afterwards Searched by the Searcher of any other Corporation or Borough.

CLXXXVII. Cloths and Kerſies made out of Corporations, ſhall be Sealed in the Town-Corporate.

CLXXXVIII. If any Searcher or Sealer ſet the Corporation-Seal to any Cloth, *&c.* defective in length, weight or breadth appointed by this, or that other Statute of *E.* 6. the Corporation ſhall forfeit the value thereof.

CLXXXIX.

CLXXXIX. The Searchers and Sealers may in the day-time enter into any Houſe to ſearch and try Cloth, *&c.* and may ſeiſe Cloths made of other colours than by the ſaid Statute of *E.* 6. is appointed, (Friers-gray, Crane-colour, Purple, and old Medley colours, uſe to be made 20 years laſt paſt, only excepted.)

CXC. None ſhall deny or withſtand the Searcher or Sealer, in pain of 10 *l.*

CXCI. No Searcher or Sealer ſhall in any Fair or Market ſearch any Cloth, *&c.* which hath a Corporation-Seal affixed thereunto.

CXCII. Every Clauſe in the ſaid Statute of *E.* 6. not repugnant to this Act, is Confirmed.

CXCIII. None ſhall incur any Penalty or Forfeiture of any Offence limited by that Act, which is mitigated, or otherwiſe appointed by this.

CXCIV. Every Clothier ſhall cauſe the Letter *M* crowned to be wrought in each Cloth, in pain to forfeit 20 *s.* for every Cloth not ſo marked.

CXCV. None ſhall Weave or Make, or put to Weaving or Making, any Cloth or Kerſey, unleſs he hath been an Apprentice to, or Exerciſed that Art ſeven years before, in pain to forfeit it or the value thereof.

CXCVI. The Penalties and Forfeitures of this and the ſaid Act of *E.* 6. (not otherwiſe appointed) ſhall be divided betwixt the King and the Seiſer, (where ſeiſure may be made) or otherwiſe betwixt the King and the Proſecutor.

* CXCVII. Stat. 8 *Eliz.* 6. For every nine Cloths unwrought, Tranſported by Licence, one ſhall be carried over well wrought, in pain to forfeit for every nine Cloths otherwiſe Tranſported 10 *l.* and the tenth Cloth ſhall be none of the Cloths Licenſed.

CXCVIII. No *Kentiſh* or *Suffolk* Cloth ſhall be Tranſported unwrought by any Licence, in pain to forfeit for every Cloth ſo Tranſported, 40 *s.* and no Licence ſhall extend to any ſuch Cloth.

CXCIX. The ſaid Forfeitures ſhall be divided betwixt the King and the Maſter and Wardens of Clothworkers, for the relief of the Poor of that Company.

* CC. Stat. 8 *Eliz.* 7. He that uſes the Trade of buying of Frizes, Cottons or Plains, ſhall not exerciſe the Art of Frizing or Cottoning, in pain to forfeit for every Piece ſo uſed, 6 *s.* 8 *d.*

CCI. Thoſe that uſe the Trade of buying *Welſh* Cloth or Linings, ſhall pay to their Workmen ready Money, in pain to loſe their Freedom.

* CCII. Stat. 8 *Eliz.* 12. None ſhall put to ſale in *Lancaſhire*, or carry out of that County any Cloth, Cotton, Frize or Rugg, made there, before the Maker ſhall have fixed his Seal thereunto, and the Aulnager the Queens: whereof the Makers ſhall have on the one ſide his Mark, and on the other ſide the length of the Piece, being wet; and the Queens ſhall have a Portcullis crowned on the one ſide, and the weight of the Piece on the other ſide: in pain to

forfeit

forfeit ſuch Cloth, *&c.* to be divided betwixt the Queen and the Proſecutor.

CCIII. In *Mancheſter*, *Rachdale*, *Bolton*, *Blackmore* and *Berry*, the Aulnager may appoint Deputies, and neither the Aulnager nor they ſhall Seal any Cloth, *&c.* before they be weighed, in pain to forfeit 20 *s.* for every Pack, to be divided betwixt the Queen and the Proſecutor.

CCIV. The Aulnagers Fee for weighing of a Packet of ſuch Cloth, *&c.* is 3 *d.* and for any quantity leſs than a Pack, an halfpenny the Piece.

CCV. Every Cotton well wrought and fully dried, ſhall weigh 21 pounds, and ſhall contain in length 21 or 20 Goads, and in breadth 3 quarters, or within one nail thereof: alſo Frizes and Ruggs being well thicked and dried, ſhall weigh 44 pounds the Piece, and ſhall contain in length betwixt 35 and 37 yards, and in breadth 3 quarters, or within one nail thereof, and ſhall not be ſtrained upon Tenters above one nail in breadth: and if the ſaid Cloths exceed the ſaid length, every goad or yard ſo exceeding ſhall weigh according to the ſame rate, in pain to forfeit for every goad or yard not ſo weighing, 12 *d.*

CCVI. If any the ſaid Cottons, Frizes or Ruggs want of the ſaid weights, the Party ſelling them ſhall forfeit for every pound lacking under three pounds, 12 *d.* and for every pound above three pounds, 5 *s.*

CCVII. All Acts heretofore made for the Sealing and Making of Cottons, Frizes and Ruggs, ſhall be void.

CCVIII. The Charters and Liberties of Towns-corporate in *Lancaſhire* are ſaved.

☞ CCIX. Stat. 23 *Eliz.* 9. Two Juſtices of Peace of the County, or the Head-Officer of a Corporation, ſhall command Logwood (which ſome deceitfully uſe for Dying of Cloth) to be ſeiſed and openly burnt; and the Dyer that uſeth it ſhall forfeit the value of the Cloth, Wooll, or other thing Dyed therewith, to be divided betwixt the Queen and the Proſecutor. *Vid. Cuſtoms. LXVIII. & infr. Sect.* 313.

CCX. Nothing of the nature of Cloth ſhall be Maddered for a Black, except it be firſt Grounded with Woad only, or with Woad and Anele, *alias* blue *Inde*, unleſs the Madder be put in with Stomack or Galls: and whoſo doth otherwiſe, ſhall forfeit the value of the thing ſo Dyed, to be divided betwixt the Queen and the Proſecutor; and the Offender is to be Impriſoned until he pay it.

CCXI. Provided, it ſhall be lawful to Dye any manner of Gall black, Stomack black, *alias* Plain black, wherein no Madder ſhall be uſed.

CCXII. The Dyer ſhall fix a Seal of Lead to the Cloth, *&c.* which he Dyeth, with the Letter *M*, to ſhew that it is Maddered and Woaded, in pain to forfeit for every yard thereof 3 *s.* 4 *d.* and the Seller thereof ſhall make it known that it is not Woaded, in pain to forfeit

forfeit the double value thereof, to be divided betwixt the Queen and the Profecutor.

CCXIII. Stat. 27 *Eliz.* 17. None ſhall be hereafter charged by the Stat. of 5 & 6 *E.* 6. 6. nor of 4 & 5 *P. M.* for want of the breadth of 7 quarters in Cloths made in the Counties of *Glouceſter*, *Wilts*, *Somerſet*, or *Oxon*, or others of like ſort, ſo that they contain in breadth (being fully wet) 6 quarters and an half within the Liſts, unwrought and Liſted: but in caſe they want that breadth, the Makers thereof ſhall be chargeable with the Penalties impoſed by thoſe Statutes for want of 7 quarters breadth.

CCXIV. If narrow-liſted Whites do not weigh 61 pounds, and broad-liſted Whites 63 pounds, being well dreſſed and dried, the Clothier ſhall incur double ſuch Penalties for every pound wanting, as by the ſaid Stat. of 4 & 5 *P. M.* are ordained.

CCXV. Stat. 27 *Eliz.* 18. The Branch of the Statute of 5 & 6 *E.* 6. 6. which prohibiteth the putting of Hair, Flocks, or Yarn made of Lambs-Wooll, into any Cloth or Frize, having regard unto the ſaid Cloths called plain white Straits, and pinned white Straits, ſhall be repealed.

CCXVI. The Inhabitants of *Devon* and *Cornwall* may weave and make the ſaid Cloths, and uſe therein Hair, Flocks, and Lambs-Wooll, and keep three Looms in their Houſes, and make ſuch Cloths of ſuch length, breadth and weight, as the Merchant ſhall like, notwithſtanding the ſaid Stat. of *E.* 6.

CCXVII. Provided, that no Piece of ſuch Cloth ſhall weigh above 12 pounds, nor be above 14 yards long, or one yard broad, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the Profecutor.

CCXVIII. Stat. 35 *Eliz.* 9. None ſhall be hereafter charged by the Statute of 5 & 6 *E.* 6. 6. for want of the breadth of 7 quarters in broad Plunkets, Azures, Blues, and other coloured Cloths made in the County of *Wilts*, *Glouceſter*, and *Somerſet*, or elſewhere, ſo that (being fully wet) they hold 5 quarters and an half within the Liſts unwrought and Liſted: but in caſe they want that breadth, the Makers thereof ſhall incur ſuch Penalties as by the ſaid Statute of *E.* 6. are appointed for want of 7 quarters breadth.

CCXIX. Howbeit, if the ſaid Cloths well dreſſed and dried do not weigh 68 pounds, the Clothiers offending therein, ſhall incur the double Penalties of the Statute of 6 *E.* 6. for want of weight.

* CCXX. Stat. 35 *Eliz.* 10. Every Piece of *Devonſhiere* Kerſey or Dozen (as it comes from the Weavers Loom) ſhall weigh in open Market 16 pounds and upwards; and every Piece of Rugg and waſh Kerſey made of Wooll (as it comes from the Sheeps Back, and from the Weavers Loom) ſhall weigh 17 pounds at leaſt, and ſhall contain in length betwixt 15 and 16 yards (yard and inch of the Rule.)

CCXXI. The Weaver that weaves or makes any of the ſaid Cloths

Cloths of leſs weight or length, ſhall forfeit for every quarter of a pound or quarter of a yard wanting, 12 *d.* And they ſhall be ſewantly woven throughout of well and like ſorted Yarn, except the Liſt.

CCXXII. The Weaver ſhall weave in his Mark at one end of the Kerſey of ſome coloured Yarn, and alſo at each end Purrel, and ſhall not deceitfully mingle his Yarn, in pain of 10 *s.*

CCXXIII. None ſhall put to ſale any ſuch raw Kerſeys, before they be viewed, weighed, and marked, in pain of 10 *s.* for every Cloth to be divided betwixt the King and the Head-Officer where the Offence is committed.

CCXXIV. Searchers and Sealers of ſuch Kerſeys ſhall be yearly appointed by the Head-Officer of the Place where they are made, who ſhall be ſworn, and have power to enter into any Houſe (in the day-time) to make ſearch accordingly, and ſhall have a Farthing for every Kerſey they mark.

CCXXV. If the Searchers and Sealers be not yearly appointed, or do neglect their Duties, or offend in their Office, the Head-Officer ſhall forfeit for every ſuch Offence 20 *s.* and for every Market-day there are not two or one Sarcher at leaſt, 40 *s.*

CCXXVI. No Kerſey ſhall be ſold or dreſſed before it be tried and marked, in pain to forfeit the ſame.

CCXXVII. None ſhall diminiſh the length of any ſuch Kerſey, in pain of 20 *s.*

CCXXVIII. The Forfeitures aforeſaid (not before limited) ſhall be divided betwixt the King and the Proſecutor.

☞ CCXXIX. Stat. 39 *Eliz.* 11. A Juſtice of Peace of the County, or Head-Officer of a Corporation (being alſo a Juſtice of Peace there) have power to call before them, and examine the Servants of Perſons ſuſpected to uſe Logwood in Dying, and (if they ſhall find cauſe) to bind over to the next Quarter-Seſſions both the Evidence and Party offending, and upon the Delinquents refuſing to be bound, ſhall commit him to priſon till he find Sureties: they ſhall alſo certifie in at the ſame Seſſion the Examinations by them taken, where if the Party offending be Convicted, he ſhall ſuffer the Pillory, and forfeit 20 *l.* to be divided betwixt the Queen and the Proſecutor. *Vid. Cuſtoms* 68. *& infr.* 313.

* CCXXX. Stat. 39 *Eliz* 14. No Cards for Wooll ſhall be brought into this Realm or *Wales*, to be ſold, in pain to forfeit them, or the value thereof, to be divided betwixt the Queen and the Proſecutor.

CCXXXI. Stat. 39 *Eliz.* 20. None ſhall ſtretch or ſtrain any Cloths made on the North-ſide of *Trent*, in pain of 5 *l.* nor uſe any Engine to that purpoſe, in pain of 20 *l.*

CCXXXII. Northern Cloths ſhall be made of ſuch weight, length, and breadth, as by former Statutes are provided, upon the pains in the ſame Statute contained.

CCXXXIII.

CCXXXIII. A Seal of Lead shall be set to every Northern Cloth, expressing the length and weight thereof, in pain to forfeit the same. And here the Offenders shall also forfeit for every yard that it wants of due length, 4 *s.* and for every pound that it wants of due weight, 2 *s.*

CCXXXIV. Overseers shall be appointed and sworn in the County by two Justices of Peace, and in Corporations by the Head-Officer, calling to him the next Justice of Peace, to make search once a month at least for defects of Northern Cloths: and if they shall find any stretched, strained, or sealed with any false Seal, they shall make Presentment thereof at the next Quarter-Sessions. And here he that deceives, or withholds any faulty Cloths, shall for the first Offence forfeit 10 *l.* for the second 20 *l.* and for the third (being thereof lawfully Convicted by Verdict of two Witnesses) shall suffer the Pillory.

CCXXXV. The Overseer that refuseth to appear, or to undertake that Office, shall forfeit 5 *l.* to be divided betwixt the Queen and the Officers that made him Overseer.

CCXXXVI. The Overseers shall fix a Seal of Lead to such Cloths, expressing the length and breadth of the same, together with the word *Searched*, which shall exempt them to be searched elsewhere.

CCXXXVII. If any (save the Overseers) set or take away a Seal to or from the said Cloths without Warrant, they shall forfeit to the Queen for the first Offence 10 *l.* and for the second (being thereof lawfully Convicted by Verdict of two Witnesses) 20 *l.* and besides suffer the Pillory.

☞ CCXXXVIII. Justices of Peace, Head-Constables and Overseers, shall search and seise Ropes, Winches, and other Engines used for the unlawful stretching of Northern Cloths, and none shall withstand them, upon the Forfeitures above mentioned for resisting the Overseers.

CCXXXIX. The Justice that shall be found negligent in the due execution of this Act, shall forfeit 5 *l.* And this and all other Forfeitures of this Act, shall be divided into three parts, whereof the Queen is to have one, the Informer another, and the Poor of the Place where the Offence is committed, the third. *See the Clauses following.*

CCXL. Justices of Peace have power to hear and determine these Offences in their Sessions, and Justices of Assise to convict the Justices of Peace that are negligent, upon proof of two Witnesses. But upon neglect of Justice by the said Justices of Peace, and Justices of Assise, the abovesaid Penalties are recoverable in any other Court of Justice. And in that case the one half thereof shall go to the Queen, and the other to the Informer.

CCXLI. The Owner of Northern Cloths brought up to be sold in *London*, shall cause them to be brought to *Blackwellhall* to be searched dry without wetting, in pain of 40 *s.* But here the Searcher,

ſhall not make his Search at ſuch times when it may be a hindrance to the Owners Market, in pain of 5 *l.* Theſe Penalties are likewiſe given to the Queen and the Informer.

* CCXLII. Stat. *Eliz.* 43. 10. None ſhall put any Hair, Flocks, Thrum-yarn made of Lamb-wooll, or any other deceivable thing, in Broad-cloth, Kerſey, Frize, Dozen, Penyſtone, Cotton, *Taunton* Cloth, *Bridgwater* or *Dunſter* Cotton (which *Dunſter* Cotton ſhall be taken to be of the like weight, length and breadth as *Taunton* and *Bridgewater* Cloth, in pain to forfeit ſuch Cloth, Kerſey, *&c.*) and none ſhall buy or procure any ſuch deceivable thing for that intent, in pain to forfeit the ſame.

CCXLIII. None ſhall uſe any Engine to ſtretch the ſaid Cloths or Ruggs unwrought in length or breadth, in pain of 20 *l.* to be divided betwixt the Queen and the Proſecutor.

CCXLIV. None ſhall ſet any wrought Woollen Cloth upon any Tenter or other Engine, to ſtretch the ſame, otherwiſe than as followeth, *viz.* the whole Broad-cloth one yard in length, and one half quarter in breadth; and the Kerſey, Cotton, *&c.* one half yard in length, and one nail in breadth; in pain to forfeit ſuch Cloth, Kerſey, *&c.*

CCXLV. Woollen Cloths ſhall not exceed the lengths appointed by former Statutes, in pain to forfeit the ſame: ſaving that *Taunton*, *Bridgewater* Cloths, and others of like making, may weigh only 30 pounds; and *Suffolk*, *Norfolk*, *Eſſex*, and Northern Cloths ſhall be abated 4 pounds in the whole Cloth, and 2 pounds in the half-Cloth.

CCXLVI. If any whole Cloth want above 3 pounds of the weight limited by the ſaid Statutes, or a half-Cloth half ſo much, for every pound ſo wanting he ſhall forfeit 10 *s.* for 2 pounds, 20 *s.* for three pounds 40 *s.* and ſo to forfeit a double Penalty for every pound ſo wanting, unleſs he will yield the ſaid Cloth, and then it ſhall be forfeited.

CCXLVII. The Statute of 39 *Eliz.* 20. which gives power to Juſtice of Aſſiſe, Juſtices of Peace and Head-Officers for Northern Cloths, ſhall extend alſo to Cloths made in other Countreys.

CCXLVIII. Cloth ſealed by the Overſeers (authoriſed by 39 *El.* 20.) ſhall not be Searched or Tried again by any other Officer.

CCXLIX. The ſeveral Branches of 5 *&* 6 *E.* 6. 6. 4 *&* 5 *P. M.* 5. 27 *Eliz.* 17. *&* 35 *Eliz.* 9. which concern over-lengths of Cloths, and the Clauſe of the ſaid Stat. of 4 *&* 5 *P. M.* 5. which concerns Certificates of faulty Cloths, are repealed.

CCL. No Merchant ſhall take advantage of a Clothier for any defect in Cloth.

CCLI. All Acts heretofore made contrariant to this, are Repealed.

CCLII. Such as obſerve this Act, albeit they offend contrary to 39 *Eliz.* 20. ſhall not incur any Penalty inflicted by 39 *Eliz.* 20.

CCLIII. The moiety of all Forfeitures (not otherwiſe hereby appointed) the Overſeers or Finders ſhall have, and the Poor the other.

CCLIV. If

CCLIV. If any unwrought Woollen Cloth (after it is Tranſported) ſhall be found ſtretched contrary to this Act, the Merchant may return it at his own Coſts, and ſhall recover Damages againſt the Maker or Seller thereof.

CCLV. Stat. 1 *Jac.* 1. 25. None ſhall incur any Penalty for want of length, breadth or weight of *Welſh* Cottons, under the price of 15 *d.* the yard, and 2 *s.* the goad, ſo as they be not mixed with deceitful Stuff, nor for any other above that Price, except they be mixed as aforeſaid, or ſhall ſhrink above the rate of half a yard in 12 yards, or weigh leſs than 14 ounces the yard, or hold not full 3 quarters of a yard broad.

* CCLVI. Stat. 3 *Jac.* 1. 16. Ordinary Kerſeys ſhall not exceed 24 yards in length, and (being fully dreſſed and dried) ſhall weigh 28 pounds and an half: And ſorting Kerſeys ſhall have the ſame lengths, and ſhall weigh 32 pounds and an half.

CCLVII. If any Piece of Kerſey of the ſaid ſeveral kinds exceed thoſe lengths, or want of thoſe weights reſpectively, the Maker ſhall forfeit for every yard ſo exceeding, 5 *s.* and for every pound ſo wanting, 2 *s.* to be divided betwixt the King and the Proſecutor.

CCLVIII. The Cuſtom and Subſidy of Kerſeys 24 yards long, ſhall be as much as was paid before for a Piece of 18 yards, and a third part of ſuch a Piece.

CCLIX. Stat. 3 *Jac.* 1. 17. None ſhall incur any Penalty for want of fixing a Content-Seal to *welſh* Cottons, neither ſhall any (ſave the Buyer) ſearch or try them, in pain of 5 *l.* to be divided betwixt the King and the Party grieved.

CCLX. Stat. 4 *Jac.* 1. 2. Every coloured Broad cloth made in *Kent*, *Yorkſhire*, *Reading*, and elſewhere of like making, (being through wet) ſhall contain in length between 30 and 34 yards (yard and inch) Standard-meaſure, and 6 quarters and an half throughout within the Liſts; and being well ordered and dried, ſhall weigh 86 pounds.

CCLXI. The length of white *worceſters* (being wet) ſhall be between 30 and 33 yards, their breadth 7 quarters, and their weight 78 pounds.

CCLXII. The length of Plunkets, Azures, Blues, and long Whites, (being wet) ſhall be between 29 and 32 yards, their breadth 6 quarters and an half, and their weight 80 pounds.

CCLXIII. Sorting Cloths ſhall contain in length betwixt 23 and 26 yards, be 6 quarters broad, and weigh 64 pounds.

CCLXIV. Fine ſhort *Suffolks* ſhall contain in length between 23 and 26 yards, be 6 quarters and an half broad, and weigh 60 pounds.

CCLXV. Handy-warps ſhall contain in length between 29 and 32 yards, be 7 quarters broad, and weigh 76 pounds.

CCLXVI. Broad Plunkets, and other coloured Cloths made in the Counties of *Wilts* and *Somerſit*, or elſewhere of like making, ſhall be betwixt 26 and 28 yards long, 6 quarters and an half broad, and weigh 68 pounds.

CCLXVII. Short coloured Cloths made in *Yorkſhire*, or elſewhere of like making, ſhall be between 23 and 25 yards long, 6 quarters and an half broad, and weigh 66 pounds: and every half-Cloth or Dozen ſhall be made according to the ſame rate.

CCLXVIII. Broad-liſted Whites and Reds ſhall contain between 26 and 28 yards in length, be 6 quarters and an half broad, and weigh 64 pounds.

CCLXIX. Narrow-liſted Whites and Reds ſhall contain in length betwixt 26 and 28 yards, be 6 quarters and an half broad, and (being white) ſhall weigh 61 pounds, but red, 60 pounds.

CCLXX. Fine Cloths, with plain Cloths, ſhall contain in length between 29 and 32 yards, be 6 quarters and a half broad, and weigh 72 pounds.

CCLXXI. Cloths having Stop-liſts, ſhall contain in length between 30 and 33 yards, be 7 quarters broad, and weigh 78 pounds.

CCLXXII. *Tauntons*, *Bridgewaters*, *Dunſters*, *&c.* ſhall contain in length between 12 and 13 yards, be 7 quarters broad, and weigh 30 pounds: and every narrow Cloth of like making ſhall be between 24 and 25 yards long, one yard broad, and weigh 30 pounds: and the half-Cloth of that kind ſhall contain the ſame breadth, and the length and weight ratably. And as touching ſuch broad and narrow Cloths as are made in *Yorkſhire* into Whites and Reds, the Broad-cloths there ſhall keep the ſame meaſures and weight; but the narrow is to contain in length between 17 and 18 yards, in weight proportionable as aforeſaid.

CCLXXIII. *Devonſhire* Kerſeys or Dozens ſhall contain in length between 12 and 13 yards, and ſhall weigh 13 pounds: and *Check* Kerſeys, Streats and plain Grays, ſhall contain in length between 17 and 18 yards, be one yard broad, and weigh 24 pounds.

CCLXXIV. Ordinary Penyſtones and Foreſt Whites, ſhall contain in length between 12 and 13 yards, be 5 quarters and an half broad, and weigh 21 pounds; and ſorting Penyſtones ſhall be between 13 and 14 yards long, 6 quarters and an half broad, and weigh 25 pounds.

CCLXXV. All *Cogware*, *Kendals* and *Carptmeals* ſhall be made to pleaſe the Buyer, and ſhall not be Searched, Sealed, or ſubject to other Penalty than ſuch as was impoſed thereon before 39 *Eliz.* ſo they ſhrink not above one yard in 20.

CCLXXVI. Kerſeys called Waſhers and Waſh-whites (being half thicked) ſhall contain in length between 17 and 18 yards, or (quarter thicked) between 18 and 19, and ſhall weigh 17 pounds.

CCLXXVII. None ſhall raiſe or row Woollen Cloth with Oyl, Greaſe, or the like, or uſe the ſame but upon the edge of the Sheers only, in pain of 13 *s.* 4 *d.* and it ſhall be wrought all alike throughout, upon the like pain; and the Wooll thereof taken away only by the Sheers upon the ſame pain.

CCLXXVIII.

CCLXXVIII. None ſhall blow, ſpout or bedew Woollen Cloth near the Liſts thereof, with Water or otherwiſe, in pain of 13 *s.* 4 *d.* and if it be done to increaſe the weight, the Penalty is 40 *s.*

CCLXXIX. Abatement ſhall be made for the Dying, Dreſſing, Shearing and Rowing of Cloths, *viz.* for ſhort Cloths 4 pounds, and long Cloths 5 pounds, and according to that rate.

CCLXXX. Flannel, Wadnals, Coverlets and Blankets may be made as formerly they have been, notwithſtanding this Statute.

CCLXXXI. None ſhall exceed the lengths aforeſaid, in pain to forfeit for every yard and inch ſo exceeding, 10 *s.*

CCLXXXII. If any ſell Woollen Cloth wanting the weight aboveſaid, he ſhall forfeit for every 2 pounds ſo wanting, 10 *s.*

CCLXXXIII. If any Cloth want the juſt breadth, the Seller thereof ſhall forfeit for ſuch want through the whole Piece, 20 *s.* the half Piece 10 *s.* and for any leſs part, 5 *s.*

CCLXXXIV. If a Cloth be of leſs length than the Seal thereof doth purport, the Seller ſhall forfeit to the Buyer 6 *s.* 8 *d.* for every yard and inch that ſo wants, beſides the value of ſo much as ſo falls ſhort.

CCLXXXV. Every Branch in any former Statute whereby any other length, breadth or weight of the ſaid Cloths, or any other Penalty concerning the ſame, or any Offence (intended by this Act to be reformed) is limited, or whereby any Penalty for the Offence (in this Act mentioned) is given to any other Perſon than in and by this Statute is limited, ſhall be repealed.

CCLXXXVI. Cloth Sealed by the Overſeers appointed by the Statute of 19 *Eliz.* 20. and 43 *Eliz.* 10. ſhall not be Searched, Tried, or Watered again, but only by the Buyer thereof.

CCLXXXVII. The Penalties for over-length or want of weight found by the Overſeers, ſhall be divided betwixt the King and them; but if ſuch Default ſhall be found by the Buyer, and not found and certified by the Overſeers, then ſhall ſuch Penalties be divided betwixt the King and ſuch Buyer.

CCLXXXVIII. If any broad Woollen Cloth be longer or ſhorter than 24 yards and inches, the Duties for the ſame ſhall be proportionable, according to the length.

CCLXXXIX. Every Clothier may make any kind of Woollen Cloth in what Place he pleaſeth.

CCXC. The Kings Duties are reſerved, as alſo the Aulnagers Office and Fees; ſo as Cloth once lawfully Searched and Sealed, ſhall not be Searched and Sealed again.

* CCXCI. Stat. 7 *Ja.* 1. 7. The Sorter, Carder, Kember, Spinſter or Weaver of Wooll or Yarn, that ſhall be found (by his own Confeſſion, or the Teſtimony of one Witneſs) to imbezzle or detain any part thereof from the true Owner, ſhall incur Whipping and the Stocks, to be inflicted upon them (in the Country) by any two Juſtices of Peace, and (in a Corporation) by the Head-Officer and another joyned with him. ☞ And here alſo the Receiver thereof ſhall incur

the like puniſhment, as alſo thoſe in *Eſſex* which uſe a Reel leſs than two yards about.

CCXCII. But ſuch Imbezlier may redeem his puniſhment by giving ſuch ſatisfaction to the Owner as ſuch Juſtice or Head-Officer ſhall think fit.

CCXCIII. Stat. 7 *Jac.* 1. 16. Certain courſe Cloths made in the North ſhall not be Searched or Sealed, nor any Cuſtom or Aulnage paid for them.

CCXCIV. Stat. 21 *Jac.* 1. 18. The Statute of 4 *Jac.* 2. is continued, ſave what is thereof altered, repealed, diſcontinued, or enlarged, by this.

* CCXCV. None ſhall put any Flocks, Thrums, Hair, or other deceitful Stuff, into broad Woollen Cloth, in pain of 5 *l.* to be diſtributed to the Poor where ſuch deceitful Cloth is made.

CCXCVI. The Searchers or Overſeers of Cloth may enter into and make ſearch in any Houſe or other place, to find deceitful Cloth.

CCXCVII. Any two Juſtices of Peace may call before them any perſon ſuſpected for making deceitful Cloth; and if, upon Confeſſion of the Party, or Teſtimony of two Witneſſes, they ſhall find any guilty thereof, and make Certificate accordingly under their Hands and Seals to the Churchwardens and Overſeers of the Poor of the Pariſh where the Offence is committed, thoſe Officers ſhall Levy the Penalties forfeited by Diſtreſs and Sale of Goods, and for want of Diſtreſs the Offender ſhall ſuffer Impriſonment.

CCXCVIII. The Officer being Sued, ſhall be allowed to Plead the General Iſſue, *&c.* and ſhall recover double Coſts.

CCXCIX. If Cloth be defective, the Searchers of the Pariſh where it is made, ſhall certifie it by their Seal, having the word *Faulty* ſtamped upon it: And the Searchers that Search Cloth already Searched, ſhall forfeit 5 *l.* to the Party grieved.

CCC. All Woollen Cloths ſhall be ſearched and Sealed before they be ſold.

CCCI. No Tenter for Broad-cloths made in *Yorkſhire* ſhall have any farther place of liberty under bar than half a quarter of a yard: and the Overſeers in thoſe Parts ſhall upon the Penalties of their Recogniſances make due Search for deceitful Tenters, and if any be found, ſhall deface them.

CCCII. He that offends the ſecond time in having ſuch a Tenter ſhall forfeit 45 *s.* to the Poor.

CCCIII. Every Overſeer of Cloth ſhall (upon the like Penalty of his Recogniſance) ſet his Name upon the Seal of Cloth, and Cloths otherwiſe Sealed ſhall not be allowed as ſufficiently Sealed.

CCCIV. Preſſing of Cloths between hot Planks, or by any heat of Fire, or other deceitful means, ſhall be puniſhed by like Forfeitures as Preſſing with the hot Preſs is puniſhable by any former Statute.

CCCV. A third part of all Penalties limited by this and former Statutes for want of length, breadth and weight, the Searchers that find

find and certifie ſuch Defaults ſhall have; and the reſt ſhall be deli-vered to the Churchwardens and Overſeers for the uſe of the Poor, for which they ſhall be accountable, as by the Statute of 43 *E.* 2. is provided.

CCCVI. Stat. 12 *Car.* 2. *cap.* 22. The Governours of the *Dutch Bay-Hall* in *Colcheſter*, and the *Dutch* People there ſhall uſe and govern their Trade with like Immunities, and in as ample manner as at any time heretofore.

CCCVII. If any Weave in the ſaid Town or Liberties thereof any Bay, and carry it not to the *Raw-Hall* within two days after to be Searched, or if any Fuller or Thicker receive ſuch Bay before it be ſtamped and marked there, they ſhall forfeit for the firſt Offence 40 *s.* to be Levied by Diſtreſs and Sale of Goods, to be accounted for to the Mayor and Commonalty for the uſe of the Poor of that Town, if ſuch Bay be made by an *Engliſh* Maſter-maker; if by a *Dutch*-man, then to be diſpoſed by the Governours of the *Dutch Bay-hall*, for the Poor of that Congregation; and for the ſecond Offence 5 *l.* to be Levied and diſpoſed *ut ſupra*: and for the third Offence ſhall not be permitted to Work any more in the ſaid Town and Liberties.

CCCVIII. Bays bought, or carried out of the Town before they are Searched, or offered to be carried out, ſhall be confiſcated, the one moiety to him that will ſeiſe, the other moiety to the Poor of the Pariſh where ſeiſed.

CCCIX. Perſons that counterfeit any Seals uſed by the ſaid Corporation, or not being the Officer thereto appointed, and in the Place by them appointed, affix any Seals to *Colcheſter* Bays, ſhall for the firſt Offence pay to the uſe of the Governours of the ſaid Hall, 20 *l.* and for the ſecond Offence ſhall ſtand in the Pillory an hour, and for the third ſuffer as a Felon. And Bays carrying or carried out of *Colcheſter* without the Mark of the Maker, ſhall be forfeited.

CCCX. The Governours of the ſaid Hall or their Officers, may in the day-time ſearch Carts, Wagons, Packs, and with a Conſtable may ſearch Houſes, Shops, *&c.* where they are informed ſuch deceitful Bays are, and bring them to the ſaid Hall; which Bays ſhall be Confiſcate, and diſpoſed of as the Forfeitures to be paid by the Weavers and Fullers.

CCCXI. The Governours of the ſaid Hall may make By-Laws; but no ſuch By-Law in diminution of the Kings Prerogative, or the Law, ſhall be executed till approved by the Lord-Chancellor, Lord-Treaſurer, or Chief Juſtice of either Bench, or any three of them, or both Juſtices of Aſſiſe in their Circuit in *Eſſex*, on pain to forfeit 20 *l.*

CCCXII. Stat. 13 & 14 *Car.* 2. *cap.* 5. For Regulating the making of *Norwich* Stuffs in *Norwich* and *Norfolk*. *Vid. Tit.* Worſteds.

CCCXIII. Stat. 13 & 14 *Car.* 2. *cap.* 11. The Statutes of 23 *El.*

cap. 9. *&* 39 *Eliz. cap.* 11. Repealed as to all Clauſes relating to the Prohibition or uſe of *Logwood*.

CCCXIV. Stat. 13 *&* 14 *Car.* 2. *cap.* 32. An Act for the better Regulating of the Manufacture of Broad Woollen Cloth within the Weſt-Riding of the County of *York*. This Act ſhall continue to the end of the firſt Seſſion of the next Parliament, and no longer. *Expired.*

CCCXV. Stat. 22 *&* 23 *Car.* 2. *cap.* 8. An Act to Regulate the making of *Kidderminſter* Stuffs. *See the Stat. at large.*

Dureſs.

I. Stat. 1 *R.* 2. 13. All Obligations forced by Dureſs upon Eccleſiaſtical Judges and others, whereby they are reſtrained from Suing for Tithes and other Duties in the Eccleſiaſtical Court, ſhall be void.

II. Such as falſly procure ſuch Judges or others to be Indicted ſhall incur ſuch puniſhment as by *Weſt.* 2. 12. is ordained for falſe Appeals: *which ſee in* Appeals.

Durham.

I. Stat. 7 *E.* 6. *Not Printed.* By this Act the Biſhoprick of *Durham* was diſſolved, and the King was to have all the Lands and Hereditaments thereof: and another Act was alſo made the ſame year, *cap.* 10. whereby the Town of *Gateſide* was united to the Town of *Newcaſtle*: but both theſe Acts are Repealed by 1 *M. Parl.* 23. And by this Act the Biſhoprick of *Durham* is revived and erected, and thereby are annexed unto the County Palatine all the Juriſdictions both Eccleſiaſtical and Temporal, as alſo the Town of *Gateſide*, and all Lands and Hereditaments before belonging to the ſaid Biſhoprick: and divers other Proviſions are therein contained concerning thoſe matters. *For which ſee the Statute at large.*

II. Stat. 5 *Eliz.* 27. Fines Levied before the Juſtices of the County Palatine of *Durham* (or one of them) of Lands lying in the ſame County ſhall be good.

III. Stat. 31 *El.* 2. 9. Writs upon Proclamations and Exigents againſt any Perſon dwelling within the County Palatine of *Durham*, ſhall be directed to the Biſhop of *Durham*, *&c.* with divers other Proviſions for that County Palatine: *For which ſee the Statute at large.*

IV. Stat. 25 *Car.* 2. *cap.* 9. The County Palatine of *Durham* may have two Knights, and the City of *Durham* two Citizens, to Serve in Parliament, to be choſen by the Kings Writ to the Biſhop of *Durham* or his Temporal Chancellor of the ſaid County, and returned by the Sheriff into the Chancery of *England*, upon the like pains as be ordained for the Sheriffs of other Counties.

Ecclesiastical Jurisdiction.

* I. Stat. 37 H. 8. 17. DOctors of the Civil Law (albeit they be Lay-men, and married or unmarried) may exercise Ecclesiastical Jurisdiction.

☞ Egyptians.

* I. Stat. 22 H. 8. 10. If any calling themselves *Egyptians* do come into this Realm, they shall forfeit all their Goods, and being commanded, shall depart the Realm within 15 days, upon pain of Imprisonment. *But see here in the Statutes following a greater Penalty ordained.*

* II. Stat. 1 & 2 P. & M. 4. None shall Transport any lewd People, who call themselves *Egyptians*, into this Realm or *Wales*, in pain of 40 *l.* And it shall be Felony (without Clergy) for them to remain above a month in *England* or *Wales*; neither shall they be Tried *per medietatem Linguæ*, but by the Inhabitants of the the County or Place where they are taken.

III. None shall sue for any Licence or Passport for any *Egyptians* to stay in *England* or *Wales*, in pain of 40 *l.* and such Licence or Passport shall be void.

IV. The Forfeitures aforesaid shall be divided betwixt the King and Queens Majesties, and the Prosecutor.

V. This Act shall not extend to charge Persons not above the age of 13 years, nor as accessary to any Offence contained in this Statute.

VI. Stat. 5 *Eliz.* 20. Any Person whatsoever consorting with *Egyptians* by the space of a month, shall be adjudged a Felon without Clergy.

VII. This Act shall not include Children within 14 years of age: neither shall any Person born in *England* or *Wales*, be compellable to void the Land by the Statute of 1 & 2 P. & M. but only to leave their lewd course of life.

Election.

I. Westm. 1. *cap.* 5. 3 E. 1. None shall disturb any (by force of Arms, Malice or Menaces) to make free Election, in pain of great Forfeiture.

II. Artic. Cleri *cap.* 14. 9 E. 2. There shall be free Election for the Dignities of the Church.

* III. Stat. 31 *Eliz.* 6. If any Person or Persons having Election or Voice in the Nomination or Choice of any Person to have Place in any Church, Colledge, School, Hospital, Hall, or other Society, shall take any Reward directly or indirectly, or any Promise or Assurance thereof directly or indirectly, for such their Election

Election or Voice, that then ſuch Place ſhall be void; and that then ſuch Perſon as hath power to diſpoſe thereof, may diſpoſe of the ſame, as if the Perſon before Elected or Appointed, were actually dead.

IV. If any Perſon of ſuch Societies take any Reward, or Aſſurance thereof, directly or indirectly for reſigning ſuch Place, the Party giving it ſhall forfeit the double value thereof, and the Party taking it ſhall be uncapable of ſuch Place; and then alſo the Party to whom ſuch Place appertains may diſpoſe thereof as aforeſaid.

V. At every Election this Statute, and the Statutes of the Society which concern Election, ſhall be read.

VI. The Forfeitures of this Statute ſhall be divided betwixt the Queen and the Proſecutor.

VII. If any Perſon, for any Reward or Aſſurance thereof directly or indirectly taken, do Preſent or Collate any Perſon to any Benefice with Cure of Souls, Dignity, Prebend, or Living Eccleſiaſtical, or give or beſtow the ſame for any corrupt Conſideration, every ſuch Preſentation, Collation, Gift, *&c.* beſtowing, and every Admiſſion, Inſtitution, Inveſtiture and Induction thereupon, ſhall be void; and from thenceforth the Queen, her Heirs and Succeſſors, may Preſent or Collate thereunto, or give or beſtow the ſame for one Turn only.

VIII. None ſhall give or take ſuch Reward, or take or make ſuch Aſſurance, in pain to forfeit the double value of one years Profit of ſuch Spiritual Promotion: and the Perſon taking ſuch Promotion ſhall be diſabled in Law to enjoy the ſame.

IX. If any Perſon for any ſuch Reward or Aſſurance thereof (lawful Fees excepted) Admit, Inſtitute, Inſtall, Induct, Inveſt or Place any Perſon in any ſuch Spiritual Promotion, the Party ſo offending ſhall forfeit the double value of one years Profit of ſuch Promotion, and the Admiſſion, Inſtitution, *&c.* ſhall be void; and then the Patron or other Perſon unto whom the next Gift appertains, may Preſent or Collate thereunto.

X. Howbeit no Lapſe ſhall accrue upon ſuch voidance, until ſix months after notice thereof given by the Ordinary to the Patron.

XI. If any Incumbent of any Benefice with Cure of Souls ſhall corruptly reſign or exchange the ſame, or ſhall corruptly take for reſigning or exchanging thereof, directly or indirectly, any benefit whatſoever, both the Giver and Taker thereof ſhall loſe the double value of the Benefit ſo had, to be divided betwixt the Queen and the Proſecutor.

XII. Penalties inflicted by the Eccleſiaſtical Law are not taken away by this Statute.

XIII. If any Perſon ſhall directly or indirectly take any Reward or other Profit or Aſſurance of the ſame (lawful Fees only excepted) to make a Miniſter, or to give Licence to Preach, he ſhall forfeit 40*l.* and the Party ſo made Miniſter, or Licenſed to Preach, 10*l.*

and

and if the Party ſo made Miniſter or Licenſed, be Inducted, Inveſted or Inſtalled into any Benefice within ſeven years after, ſuch Induction, &c. ſhall be void, and the Party having the Gift thereof may Preſent or Collate, as if he were dead.

XIV. The Forfeitures of this Act ſhall be divided betwixt the Queen and the Proſecutor.

English-men.

I. Stat. 14 & 15 H. 8. 4. All *Engliſh-men* ſworn Subjects to any Foreign Prince, ſhall pay ſuch Impoſitions as Aliens do.

II. Their Names ſhall be certified into the Chancery from *Holland*, *Zealand*, *Brabant* and *Flanders*, by the Governour of the Merchant-Adventurers there, and from other Parts by the Kings Embaſſadours reſiding in thoſe Parts.

III. An *Engliſh-man* returning and dwelling again within this Realm, ſhall be reſtored to his Liberties.

England and Scotland.

I. Stat. 1 *Jac.* 1. 2. An Authority is given to certain Commiſſioners of both Houſes of Parliament (named in this Statute) to Treat with certain Commiſſioners of *Scotland* concerning the Settlement of an Union and Peace between the Kingdoms of *England* and *Scotland*.

II. Stat. 4 *Jac.* 1. 1. Laws of Hoſtility, and the Dependencies thereof between the two Nations, are Repealed: but this Act in that Point is not to take effect until the like be acted in *Scotland*.

III. None ſhall be troubled for any wrong done before the death of Queen *Eliz.* by the Laws of the Borders.

IV. Felonies committed by *Engliſh-men* in *Scotland*, ſhall be Tried in *Cumberland*, *Weſtmorland* or *Northumberland* before Commiſſioners and Jurors of *England*: and here the Felon ſhall be admitted to have his Witneſſes examined upon Oath; and the Proſecutor and his Witneſſes ſhall by any Juſtice of Peace of any of thoſe Counties, be bound by Recogniſance to Proſecute and give Evidence, the Proſecutor firſt tendring ſuch Witneſſes their reaſonable Charges.

V. Here alſo the Acceſſary ſhall be ſo Tried, albeit the Principal be not Convicted or Attainted, and neither Principal nor Acceſſary ſhall be allowed Clergy, or peremptorily challenge above five, and the Indictment ſhall be good notwithſtanding the words *Contra Pacem, Coronam & Dignitatem noſtras*, be omitted.

VI. No Sheriff or other Miniſter ſhall return any Juror upon ſuch Trial, but ſuch as have Free-hold worth 5 *l. per annum* in the County where the Trial is had, in pain of 40 *l.* for every Juror otherwiſe returned, to be divided betwixt the King and him that will ſue for it.

VII. Here

VII. Here the Offender ſhall not forfeit any Lands nor have his Blood corrupted, neither ſhall his Wife loſe her Dower; but he ſhall forfeit all his Goods, Chattels and Credits.

VIII. The like Act being intended to be made in *Scotland*, when the like Offence is committed in *England* by a *Scotch-man*, aftewards fled into *Scotland*, Juſtices of Oyer and Terminer, Gaol delivery and Peace of *England*, have power to bind over by Recogniſance both the Proſecutor and Witneſſes, they being tendred their Charges, as before, to appear in *Scotland* upon the Trial: which Recogniſance (upon failer) being certified into the Exchequer-Chamber, ſhall by Decree there be made a Debtor to the King.

IX. *Scotch-men* coming into *England* to Proſecute or give Evidence againſt an Offender in *Scotland*, ſhall be free from Arreſts for any offence or cauſe whatſoever, except Treaſon and Murther, ſo long as they are in *England* for that purpoſe.

X. The Offence ſhall be alledged in the Indictment to be done in the Place where indeed it was done.

XI. He that is once Tried in *Scotland* ſhall not be again called in queſtion for the ſame Offence, but his former Trial ſhall be a good Plea for him, unleſs by Certificate from *Scotland* ſome other Cauſe may be diſcovered.

XII. No *Engliſh-man* ſhall be ſent out of *England* to be Tried in *Scotland*, *But this is altered by the Statute following.*

XIII. The Jurors, or the greater part of them, may allow or reject any of the Witneſſes of either Party, as they ſhall in their diſcretions find cauſe.

XIV. Here the trial of a Peer ſhall be by his Peers.

XV. Stat. 7 *Jac.* 1. 1. If an *Engliſh-man* ſhall commit Felony in *Scotland*, and then flie into *England*, the Juſtices of Aſſiſe, or one of them, the Juſtices of Gaol-delivery in their Gaol-delivery, or four of them, or the Juſtices of Peace in Seſſions, or four of them, may ſend the Offender into *Scotland* to be Tried: Howbeit this Act ſhall not take effect, till another of the like nature (*vice verſâ*) be made in *Scotland*.

XVI. Stat. 16, 17 *Car.* 1. 17. And Act for the Confirmation of the Treaty of Pacification between the two Kingdoms of *England* and *Scotland*. *See the Statute at large.*

XVII. Stat. 16, 17 *Car* 1. 18. An Act for ſecuring by Publick Faith the remainder of the Friendly Aſſiſtance and Relief promiſed to our Brethren of *Scotland*. *See the Statute at large.*

XVIII. Stat. 19 *Car.* 2. *cap.* 13. Twelve perſons to be nominated by the King, ſhall be Commiſſioners for this Kingdom, who, or five or more of them, after the 10*th* of *January* 1667. and before the 25*th* of *March* 1688. and ſo from time to time, may meet at ſuch Place in *England* as the King ſhall appoint, with Commiſſioners for the Realm of *Scotland*, and Treat and Determine concerning the Liberty of Trade between the two Kingdoms, by ſuſpend-

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ing Impoſitions, *&c.* charged ſince the 25*th* of *March* in the 12*th* Year of the Kings Reign, upon Commodities of the Growth or Manufacture of either Kingdom, or of any of the *Engliſh* Plantations, or other Commodities Exported out of *England* into *Scotland*; their Determinations to be reduced into Writing under the Hands and Seals of the Commiſſioners, and being Ratified by the King, ſhall be in force for a year from the Date of ſuch Ratification, or to the end of the next Seſſion of Parliament.

XIX. Stat. 22 *Car.* 2. *cap.* 9. Perſons to be nominated by the King under the Great Seal, or ſo many of them as ſhall be appointed to be of the *Quorum*, ſhall have power to Treat with Commiſſioners to be Authoriſed by the Parliament of *Scotland* concerning an Union of the Realms, and ſuch other Matters as they ſhall think fit, for the Kings Honour, and Good of both Kingdoms. Their Proceedings to be reduced into Writings or Inſtruments *Tripartite*, one part whereof to be Preſented to the King, another to the Parliament of *England*, and a third to that of *Scotland*. Provided, that nothing to be Agreed on by them ſhall be of force till Confirmed by Act of the Parliament of *England*.

Engleſchire.

I. Stat. 14 *E.* 3. *Stat.* 1. *cap.* 4. Preſentment of *Engleſchire* is clearly aboliſhed.

Entry, and Writs of Entry.

I. Marlbr. 29. 52 *H.* 3. When ſo many Alienations have been made, that the Writ of Entry cannot be made in the uſual Form, the Plaintiff ſhall have a Writ to recover his Seiſin without mention of the Degrees. *And this is called a Writ of Entry ſur Diſſeiſin en le Poſt.*

II. Glouceſter 7. 6 *E.* 1. If a Woman Alien her Dower in Fee or for Life, the Heir, or other Perſon to whom the Land ought to revert after her Death, ſhall immediately recover it by a Writ of Entry.

Entry lawful.

I. Stat. 32 *H.* 8. 33. Where a Diſſeiſor dieth ſeiſed of Lands, that Deſcent ſhall not take away the Entry of the Diſſeiſee or his Heir, unleſs the Diſſeiſor had peaceable Poſſeſſion thereof five years next after ſuch Diſſeiſin committed.

Errour.

Errour.

I. Stat. 5 *E.* 3. 2. *in fine*, & 10 *E.* 3. *Stat.* 2. 3. Where Errour is made before the Kings Steward and Marſhal, the Plaintiff may by Writ remove the Record into the Kings Bench, and may there have it redreſſed.

II. Stat. 31 *E.* 3. *Stat.* 1. 12. The Lord Chancellor and Treaſurer calling to them ſuch of the Juſtices and other ſage Perſons as they ſhall think fit, as alſo the Barons of the Exchequer, (to give the reaſons of their Judgments) may examine erroneous Judgments given in the Exchequer, and (if any Error be found) may correct the Rolls, to the end the Exchequer may proceed to Execution.

III. Stat. 23 *Eliz.* 3. Fines and Recoveries, and all Matters concerning them, now extant and in being, may be Enrolled, which Enrollment ſhall be of as great validity as the ſame ſo extant and remaining in being.

IV. No Fine, Proclamation or Recovery ſhall be reverſible for falſe Latine, Raſure, Interlining, Miſ-entring, Miſ-returning, not Returning, or any other matter of Form, and not of Subſtance.

V. This Act ſhall not bar any from a Writ of Error upon any Fine or Recovery heretofore had and purſued within five years after this Parliament, or which before the firſt of *June* 1582, was Exemplified under the Great Seal; nor a Feme-covert, Infant, *non compos mentis*, one in Priſon or beyond Sea, ſo that they or their Heirs purſue ſuch Writ within ſeven years after ſuch Imperfection, Reſtraint or Abſence removed: and if any of them happen to die hanging the Suit, their Heir may undertake it within one year after the ſaid ſeven years; and if the Heir be under age, then within one year after his full age.

VI. The day and year of the acknowledgment of a Fine, and of the Warrant of Attorney for the ſuffering of a Recovery, ſhall be certified together with the Concord or Warrant; and none ſhall be inforced ſo to certifie but within one year after ſuch Acknowledgment made, or Warrant given.

VII. No Officer ſhall receive any Writ of Covenant or Entry without the day ſo certified, in pain of 5 *l.*

VIII. No Attornment upon any Fine in a *Quid juris clamat*, *Quem redditum reddit*, or *Per quæ ſervitia*, ſhall be entred upon Record, unleſs the party Attorning have firſt appeared in Court, or by Attorney warranted under the Hand of a Juſtice of one of the Benches, or of Aſſiſe. And every Attornment otherwiſe made ſhall be void without any Writ of Error, or other means to be uſed for the avoiding thereof.

IX There ſhall be an Office for the Enrolments of Writs for Fines and Recoveries, and one of the Juſtices of the Common-Pleas (beſides the Chief Juſtice) ſhall have the care thereof; and

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ſhall have for the Enrolment and Examination of every Fine with the parts thereof, 6 *s.* 8 *d.* and as much for a Recovery, and the parts thereof, and for every Exemplification of them, 5 *s.* and for the Search of every year, 4 *d.* and for every Sheet of a Copy (containing 14 Lines) 4 *d.* and ſhall ſubſcribe his Name to the Roll after he hath ſo Examined it, in pain of 5 *l.*

X. The ſaid Juſtice ſhall have power to puniſh the Officers who manage that Employment by Fine or Amerciament, for their miſpriſion or negligence therein, which ſhall be Eſtreated amongſt the Fines and Amerciaments of that Court.

XI. The Chirographer ſhall the firſt day of every Term fix in the Court of Common-Pleas a Table of each County, containing a true Content of the Fines paſſed in any one Term, and ſhall alſo deliver the like to each Sheriff, in pain of 5 *l.* and the Sheriff ſhall fix it up in the Court at the next Aſſiſes, in like pain of 5 *l.* The ſaid Forfeitures are to be divided betwixt the Queen and the Proſecutor, and the Chirographers Fee for every ſuch Content is 4 *d.*

XII. The Records ſhall not be carried out of the Office of Enrolments, and Fines and Recoveries already paſſed and Exemplified, ſhall not be afterwards amended.

XIII. Stat. 27 *Eliz.* 8. Where a Judgment is given in the Kings Bench in Debt, Detinue, Covenant, Accompt, Action upon the Caſe, *Ejectione firmæ*, or Treſpaſs, firſt commenced there, (other than ſuch where the Queen is Party) the Plaintiff or Defendant may ſue forth of the Chancery a Writ of Error, commanding the Chief Juſtice to cauſe the Record to be brought before the Juſtices of the Common-Pleas and Barons of the Exchequer, into the Exchequer-Chamber; which Juſtices and Barons, or any ſix of them, (being of the Coif) have there power to Examine, Reverſe or Affirm the ſaid Judgment; other than for Error concerning the Juriſdiction of the Kings-Bench, or for want of Form in any Writ, Return, Plaint, Bill, Declararion, or other Proceeding whatſoever: and after ſuch Judgment Reverſed or Affirmed, the ſaid Record ſhall be remanded, that the Kings-Bench may proceed thereupon as ſhall appertain: yet ſuch Reverſal or Affirmation ſhall not be ſo final, but that the party who finds himſelf grieved may ſtill ſue in Parliament, as before.

XIV. Stat. 31 *Eliz.* 1. The not coming of the Chancellor and, Treaſurer at the day of Adjournment in any Suit of Error depending by force of 31 *E.* 3. *Stat.* 1. *cap.* 12. ſhall not be any diſcontinuance of the Writ of Error; but if both the Chief Juſtices or either of thoſe great Officers be there, it ſhall be no diſcontinuance: Howbeit no Judgment ſhall be given therein, unleſs both thoſe Officers be there preſent.

XV. Any three of the Juſtices of the Common-Pleas or Barons of the Exchequer may receive Writs of Error, award Proceſs thereupon, and prefix days of continuance for ſuch Writs, notwithſtanding the Statute of 27 *Eliz.* 8. but no Judgment ſhall be given therein without

without the full appearance of ſix, according to that Statute; and here alſo the party that finds himſelf grieved, may ſue in Parliament as before.

XVI. Stat. 16 *Car.* 2. *cap.* 2. The not coming of the Lord Chancellor and Lord Treaſurer, or either of them, at the day of return of any Writ of Error, by vertue of the Statute of 31 *E.* 3. ſhall not abate or diſcontinue ſuch Writ of Error; but if both Chief Juſtices or either of them, or Lord Chancellor or Lord Treaſurer come, the Suit ſhall proceed.

XVII. Provided, that no Judgment ſhall be given in any ſuch Writ of Error, unleſs both the Lord Chancellor and Lord Treaſurer be preſent.

XVIII. Stat. 20 *Car.* 2. *cap.* 4. Judgment may be given in a Writ of Error in the Exchequer in the preſence of the Lord Keeper of the Great Seal, notwithſtanding the vacancy of a Lord Treaſurer.

XIX. Stat. 30 *Car.* 2. *cap.* 6, One Act made in 17 *Car.* 2. *cap.* 8. (*whereby amongſt other things it was Enacted, that* in all Actions real, perſonal and mixt, the death of either party between Verdict and Judgment, ſhould not be alledged for Error, ſo as ſuch Judgment be Entred within two Terms after ſuch Verdict) ſhall be in force for ſeven years, and to the end of the next Seſſion of Parliament.

Made perpetual 1 *Jac.* 2. *cap.* 17.

☞ Eſcape.

I. Weſt. 1. 3. 3 *E.* 1. Nothing ſhall be taken for the Eſcape of a Felon, until it be Judged an Eſcape by the Juſtices in *Eyre*, in pain of reſtoring as much to the party grieved, and as much alſo to the King.

II. Stat. 31 *E.* 3. *Stat.* 1. 14. The Eſcape of Felons, and the Chattels of Felons, Fugitives and Clerks Convict, Adjudged by the Kings Juſtices, ſhall be Levied as they ſhall fall.

III. Stat. 1 *R.* 3. 3. Juſtices of Peace have power in Seſſions to inquire of Eſcape of Felons.

Exchange.

I. Stat. 9 *E.* 3. 7. Exchanges ſhall be kept where it ſhall pleaſe the King and his Council.

II. Stat. 25 *E.* 3. *Stat.* 5. 12. Every man may exchange Gold for Silver, or Silver for Gold, or for Gold and Silver, ſo that no man hold the ſame as exchanged, nor take profit for ſuch Exchange, in pain to forfeit the Money ſo exchanged, except the Kings Exchangers, which take profit for ſuch Exchange, according to the Ordinance before made. *Note that this Statute is thus alſo recited in* 5 & 6 *E.* 6. 19. Howbeit the *French* Copy (in ſtead of, *So as no man hold the ſame as Exchanged*) hath it thus, *Iſſint que nul home tiegne comeen Eſchange*; and ſo the miſtake ſeems to be in the word *Com*, which

which ſhould have been *Comen.* And *Raſtal* in the firſt Edition of his Abridgment (which I have) renders it, *Nul preigne reins pur Eſchange d' Or pur Argent, ou e contra, ſur pain de forfiter del Money iſſint change, forpriſe Changours le Roy, queux pregneront ſolonque l' Ordinance en fait.*

III. Stat. 14 *R.* 2. *Stat.* 1. 2. For every Exchange the Merchant ſhall be bound in Chancery to buy (within three months after ſuch Exchange) Merchandiſe of the Staple to the value of the Sum exchanged, in pain to forfeit the Sum.

IV. Stat. 11 *H.* 4. 8. The Statute of 14 *R.* 2. ſhall be duly executed, and the Lord Chancellor ſhall ſend the Eſtreats or Exchanges taken of Merchants into the Exchequer 15 days; and the Barons there ſhall have power to examine the Cuſtomers in that caſe, and to puniſh them if they find them faulty. *But note that theſe two laſt Statutes are now out of uſe.*

* V. Stat. 5, 6 *E.* 6. 19. None ſhall give or take any more for the Exchange of Coin than the true value thereof amounteth unto, in pain to forfeit the Money ſo Exchanged, or ſuffer one years Impriſonment, and to be Fined at the Kings pleaſure; and the ſaid Forfeiture is to be divided betwixt the King and the Seiſer or Proſecutor.

Exchequer.

I. Stat. *Scaccarii* 51 *H.* 3. All Bailiffs, Sheriffs, the Juſtices of *Cheſter*, Receivers of Wards and Eſcheats, and other Officers, ſhall Account in the Exchequer to the Treaſurers and Barons there; and all Sheriffs, Farmers, Bailiffs of Franchiſes, and others that ought to come to the Proſer of that Court the *Munday* after *Mich.* and the *Munday* after the *utas* of *Eaſter*, ſhall then pay in their Farms, Rents, and Iſſues; and upon default they ſhall there remain until Payment or Agreement made for the ſame, and in caſe of abſence, they ſhall be Amercied.

II. Then alſo ſhall the Sheriffs and Bailiffs pay in their Summons of the Exchequer, and be then alſo ready to make Account for the things aforeſaid: and if the Bailiffs fail to do it, their Bodies ſhall remain in Ward of the Sheriffs, and the Sheriff ſhall Levy the Kings Debts by himſelf or his own Bailiffs, where the Bailiffs of the Franchiſes fail to do it.

III. The Juſtices of *Cheſter* ſhall have day to Accompt from year to year in *Quindena Paſchæ*, and the Bailiffs thereof in the *Munday* of *Eaſter utas.*

IV. All Sheriffs (except of *Weſtmorland*, *Lancaſter*, *Worceſter*, *Rutland* and *Cornwall*) ſhall keep all Wards and Eſcheats belonging to the King, and ſhall be anſwerable for the Iſſues thereof in the Exchequer at the Terms aforeſaid; and at their Turns they ſhall find Office of ſuch things as belong to the King, and which are not uſed to be found before the Eſcheators, with as little grievance of the

People as may be; and ſhall ſeiſe ſuch Eſcheats as fall to the King in Fee, and ſhall without delay certifie the King thereof.

V. The King ſhall aſſign three able perſons to ſurvey and find yearly the Wards and Eſcheats aforeſaid, which the Sheriffs ſhall Lett to Farm for the Kings beſt advantage.

VI. The Sheriff of *Cumberland* ſhall be Eſcheator in *Weſtmorland* and *Lancaſter*, the Sheriff of *Nottingham* in *Rutland*, the Sheriff of *Glouceſter* in *Worceſter*, and the Sheriff of *Devonſhire* in *Cornwall*: and they ſhall ſafely keep the Kings Wards and Eſcheats in thoſe Counties, and ſhall be anſwerable for the Iſſues thereof in the Exchequer, as well as for thoſe of their own Counties.

VII. The ſaid Surveyors ſhall approve and manage the Kings Demeſnes, and ſhall be anſwerable for the Iſſues thereof, and the Farmers ſhall be chargeable to the principal Approvers, and they in the Exchequer yearly the *Munday* after *Aſcenſion*-day.

VIII. Alſo the Collectors of the Cuſtom of the Wooll ſhall Account and Pay yearly in the Exchequer at the two Terms aforeſaid.

IX. The Keeper of the Kings Wardrobe ſhall alſo Account yearly at the Feaſt of S. *Margaret*.

X. The Treaſurer and Barons ſhall prefer the taking of theſe Accounts before any other Buſineſs to be heard in Court, except it concern the Kings own Debt.

XI. One Sheriff ſhall not be received to Account during anothers Account, nor until the firſt Accomptant have paid all his Money.

XII. The Conſtable, Marſhal, Chamberlain, and other that are of Fee in the Exchequer, ſhall preſent to the King ſuch as are of good fame to execute their Offices, and for whom they will anſwer.

XIII. No Deputy-Officer (without the Licence of the Treaſurer and Barons) ſhall be there received, unleſs he be ſworn: and if he commit any Treſpaſs, and be not able to ſatisfie the Puniſhment inflicted, his Superior ſhall be anſwerable for it.

XIV. The Officers of the Wooll-ſtaple ſhall make Oath to certifie the Treaſurer and Barons, or ſome of them, (or, if need require, the King himſelf) of all Defaults and Offences committed in the Wooll-ſtaple.

XV. About the Feaſt of S. *Margaret*, and before the cloſe of the Exchequer, ſearch ſhall be made whether any Sheriff or Bailiff have failed to Account that year, and if any have, a Remembrance thereof ſhall be made in the Roll: and if it be a Sheriff, his Account ſhall be firſt heard after *Michaelmas*; but if a Bailiff he ſhall be Summoned or Diſtrained to Account at a certain day.

XVI. The Surveyors of the Kings Works ſhall be choſen by the Oath of 12 Men, and of ſuch as may beſt attend that Office, and are ſufficient to anſwer to the King, if need be; and ſhall ſwear that they bear lawful Witneſs: and if the Treaſurers or Barons ſuſpect the

the ſale, allowance of charges, or the like, the truth thereof ſhall be inquired, and he that is Attainted ſhall anſwer the King as much as the allowance amounteth unto, ſhall ſuffer a year and 40 days Impriſonment, and be farther puniſhed at the Kings pleaſure; and the Surveyors ſhall be alſo puniſhed for their conſent. And here, he that concealed any thing wherewith he is chargeable, ſhall be puniſhed as well as he that admitted ſuch falſe allowances.

XVII. All Juſtices, Commiſſioners and others, ſhall deliver into the Exchequer yearly after *Michaelmas*, the Eſtreats of Fines and Amerciaments Taxed before them, and the Exchequer ſhall Eſtreat them out in the Summons to all Counties, except the Eſtreats in *Eyre*, which ſhall be delivered immediately after the *Eyre* made.

XVIII. Stat. *de Rutland.* 10 *E.* 1. From henceforth the Bodies of Shires ſhall not be written in ſeveral Rolls, but in a certain annual Roll by themſelves, which ſhall be read every year upon the Accounts of Sheriffs.

XIX. The remnants of the Ferms ſhall be written by later Dates in the annual Rolls, and the Sheriff ſhall be charged therewith; in which remnants, Liveries, Alms aſſigned, and other allowances (if Sheriffs have had any) of the Iſſues of their Bailiwicks by the Kings Writs, ſhall be allowed: and to the end the King may not be abuſed in ſuch allowances, the Treaſurer and Barons ſhall certifie to the Chancellor the due allowances, and the Writs of allowances ſhall be made according to ſuch Certificate.

XX. Alſo in thoſe annual Rolls ſhall be written the Sheriffs Terms, the Profit of Counties, the Ferms of Serjeants, Aſſerts, Cities, Boroughs, Towns, and other Ferms, whereof there is anſwer yearly made in the Exchequer. In them likewiſe ſhall be written all Debts determined, groſs Debts, and all other debts that ſeem to be clear: Howbeit new Duties ſhall not be written therein, but thoſe Debts whereof there is hope of payment, and whereof the Sheriff is anſwerable, and Debts found in the Originals.

XXI. Of dead Ferms and deſperate Debts whereof there is no hope, one Roll ſhall be made, intituled *Comitatus*, and ſhall be read yearly upon the Sheriffs Account; and the Debts there, whereof the Sheriff is anſwerable, ſhall be writ in the annual Roll, and there ſhall be acquitted.

XXII. Tallies already paid, and not allowed, but charged in the Summons of the Exchequer, ſhall after Proclamation be delivered to the Sheriffs, to be allowed upon their Accounts; and two faithful Knights in every County ſhall be preſent at the delivery of ſuch Tallies, which ſhall be delivered by Indenture betwixt the Knights and the Sheriffs, which Knights ſhall ſend their part to the Exchequer at the Sheriffs Account: and if the Tallies be not ſo delivered as aforeſaid, the party failing ſhall be chargeable with the Debt.

XXIII. Inquiſitors ſhall be appointed in every County, what Debts, and what part thereof are paid, and what not; which Inquiſitors

quiſitors ſhall certifie the perſons Convict to have received them; and thereupon examination thereof ſhall be made in the Exchequer, and the Rolls rectified accordingly.

XXIV. The Chamberlains of the Exchequer ſhall not make to Sheriffs or Bailiffs Tallies or *Dividends*, unleſs they firſt receive of them Writings concerning the particular Sums of the Actions of Debts, and the Names of them that paid them, unto which particulars he may put the Names of ſuch *Dividends*, which being ſo received under their Seals, they ſhall not be afterwards numbred into other Particulars.

XXV. When *Nichils* are returned by the Sheriff, they ſhall be Eſtreated into Rolls, and delivered unto circumſpect Men to be inquired of, as the Treaſurer and Barons ſhall direct.

XXVI. No Suit ſhall be proſecuted in the Exchequer-houſe, unleſs it concerns the King and his Officers there.

XXVII. Stat. 37 *E.* 3. 4. The Clerks of the Remembrance ſhall ſit againſt the Clerk of the Pipe, to take notice of, and inbreviate all Diſcharges in the Pipe, to the end that Proceſs may thereupon ceaſe: alſo upon ſuch Diſcharge the Summons of Pipe ſhall be withdrawn.

XXVIII. Stat. 1 *R.* 2. 5. All former Statutes made concerning the Officers of the Exchequer ſhall be firmly kept.

XXIX. If any Officer there make out a Proceſs for a Debt already paid, he ſhall loſe his Office, be Impriſoned, and make Gree with the Party at the diſcretion of the Treaſurer and Barons.

XXX. Stat. 5 *R.* 2. *Stat.* 1. 9. Every perſon Impeached in the Exchequer, may plead there in his own Diſcharge.

XXXI. Stat. 5 *R.* 2. *Stat.* 1. 11. Accounts in the Exchequer ſhall be Heard, Made and Ingroſſed more ſpeedily than they were wont.

XXXII. Stat. 5 *R.* 2. *Stat.* 1. 12. Two Clerks ſhall be aſſigned and ſworn to make parcels of Accompts in the Exchequer, and ſhall be recompenſed for their pains as the Barons ſhall think fit.

XXXIII. Stat. 5 *R.* 2. *Stat.* 1. 13. No Accounts of *Nichil* ſhall be admitted but upon Oath and Examination of the Officer, who upon ſuch Oath ſhall be diſcharged thereof, ſaving the Kings Right.

XXXIV. Stat. 5 *R.* 2. *Stat.* 1. 14. The Clerk of the Pipe and the two Remembrancers ſhall be ſworn to make due Entry (every Term) of all Writs for the Diſcharge of any Perſon. And the Remembrancers ſhall alſo be ſworn to make a Schedule (every Term) of ſuch as ſhall be ſo diſcharged, and to deliver it to the Clerks of the Pipe, to the end they may alſo be diſcharged in the great Roll. And the Clerk of the Pipe ſhall alſo be ſworn to require ſuch Schedules, and to deliver like Schedules to the Remembrancers of ſuch as ſhall be diſcharged in his Office.

XXXV. Stat. 5 *R.* 2. *Stat.* 1. 13. If a Judgment of Livery given in any other Court, ſhall be ſent into the Exchequer, the Remembrancer in whoſe Office ſuch Account ſhall be demanded, ſhall not

not iſſue new Proceſs thereupon, but ſhall cauſe it to ceaſe by an Indorſement upon the Writ.

XXXVI. Stat. 5 *R.* 2. *Stat.* 1. 16. The Clerks Fee for making of a Commiſſion or Record of *Niſi prius* in the Exchequer ſhall be only 2 *s.*

XXXVII. Stat. 13 *R.* 2. *Stat.* 1. 14. Recogniſances or Bonds of the double made in the Exchequer for the Kings Debts ſhall be void: provided the King be ſecured his Duty the uſual way.

XXXVIII. Stat. 1 *Jac.* 1. 26. Iſſues loſt, which by Queen *Eliz.* Orders made in the 15*th* year of her Reign ought to be remitted, ſhall from henceforth be diſcharged in the Exchequer.

XXXIX. If the Treaſurers Remembrancer, or any Officer under him, obſerve not the ſaid Orders, they ſhall forfeit 20 *l.* to be ſued for within two years, and to be divided betwixt the King and the Party grieved.

XL. No Proceſs to do Homage and Fealty, or Fealty only, or Writs of *Scire facias*, *Capias*, or Diſtreſs for Fines Eſtreated out of the Common-Pleas, ſhall iſſue out of the Remembrancers Office upon ſuppoſal only, upon the pains provided by former Laws and Orders of the Exchequer, but it muſt be upon juſt ground: and if it appear there that a Tenure hath been Traverſed, the Proceſs ſhall be Diſcharged by ſuch Traverſe without Pleading.

XLI. Upon the Eſtreat of the Original of the Chancery of the firſt Grant of any Lands holden in chief, by Knights Service, or Soccage in chief, or of any Licence or Pardon of Alienation, *Ouſter le main*, general or ſpecial Livery, or the Enrolment of any of them, Proceſs ſhall be made only for the Services due thereupon, and the Parties ſhall he admitted without Pleading, paying the Fine, as hereafter is expreſſed.

XLII. Here, where the firſt Tenant is returned *Mort*, or *Nihil habet*, then ſhall iſſue out a *Diſtring. tenent.* for the Tenant or Tenants to do his or their Service; againſt whom, after he or they are known, Proceſs ſhall iſſue out every Term without Iſſues to be loſt, until they come to ſhew their Entry, make Fine, *&c.*

XLIII. If a Grantee of an Inheritance or Free-hold in Lands holden in chief, or by Knight Service, have a Licence of Alienation, and bring it to the Treaſurers Remembrancer, it ſhall be received and enrolled without Plea: ſo likewiſe ſhall a Livery general or ſpecial, or *Ouſter le main.*

XLIV. Where any Writ of Reverſion ſhall be made upon any Record for Lands wherein the Prince is in Reverſion, the Party upon ſhewing a Record teſtifying ſo much, ſhall be diſcharged without Plea.

XLV. Where two Mannors in one County have the ſame Name, if that of them be charged which ought not, the Iſſues out ſhall be ſaved, and the Party diſcharged without Plea.

XLVI. Iſſues loſt by any which are returned Tenants of Lands which they have not, ſhall be diſcharged.

XLVII. Iſſues loſt upon a Ward under age ſhall be diſcharged; ſo alſo ſhall thoſe returned upon the Committee of a Ward.

XLVIII. Iſſues loſt upon Lands in the Queens hands by Extent, ſhall be diſcharged; ſo alſo ſhall thoſe returned upon Tenants for life, year, or at will, or upon Tenants of Lands in chief by Extent.

XLIX. Iſſues loſt by untrue Returns or Miſ-returns by Sheriff, ſhall be diſcharged.

L. Iſſues loſt upon any former Grants of Lands in chief, and now not holden, ſhall be diſcharged.

LI. Iſſues loſt by being returned upon a Jury, when the Parry at the time of his appearance was in Priſon, beyond Sea, or in the Queens Service, ſhall be diſcharged.

The Exchequer-Fees for reſpect of Homage.

The value of the Land.	The Queens Fee.	The Remembrancers Fee.	The Entry.	The Attorneys Fee.
li. li.	ſh. d.	ſh. d.	ſh. d.	ſh. d.
A 100 *ad* 60	10 00	01 08	00 04	By ſome 03 04
A 60 *ad* 30	06 08	01 08	00 04	By ſome 01 08
A 30 *ad* 20	05 00	01 08	00 04	By ſome 00 00
A 20 *ad* 15	03 04	01 01	00 04	l. ſh. d.
A 15 *ad* 10	02 00	01 08	00 04	By ſome 2 00 0
A 10 *ad* 10 m.	01 08	01 08	00 04	voluntary 1 00 0
A 10 m. *ad* 5 li.	01 00	00 00	00 04	annuities 0 13 4
A 5 li. *ad* 3 li.	05 08	00 08	00 04	for all 0 10 0
A 3 li. *& infra.*	00 04	00 04	00 04	matters. 0 06 8
				0 05 0

Theſe never loſe Iſſues, but have their Fines paid whether they come or not.

LII. The Treaſurers Remembrancer ſhall ſatisfie every Subjects Charges that ſhall be vexed upon a ſuppoſal to be ſet by the Court: ſo alſo ſhall his Clerks pay the Iſſues loſt, when the Subject hath duly paid his reſpect of Homage, to be proved by the Acquittance.

LIII. The Treaſurers Remembrancer may by Order of the Exchequer, iſſue out Proceſs for the diſcovery and Preſervation of Tenures, notwithſtanding this Act: Howbeit, no ſuch Tenure appearing, the Party ſhall be diſcharged without plea or Fee.

LIV. Stat.

LIV. Stat. 19 *Car.* 2. *cap.* 12 All Perſons to whom any Moneys ſhall be due in the Exchequer, and ſhall have any Order Regiſtred in the Office of the Auditor of the Receit for payment thereof, by Endorſement of their Order, may transfer the benefit thereof, or of any part thereof to any other. Which being Notified in the Office of the Auditor of the Receit, and Entry thereof made, ſhall Entitle ſuch a Fee to the benefit thereof. And it ſhall not be in his power, who made the Aſſignment, to releaſe the ſame.

LV. In caſe of an Aſſignment of any Sum, not exceeding one hundred pounds, the Auditor of the Receit ſhall not take above ſix pence for himſelf and his Clerks, for making an Entry thereof. And for any ſum above 100 *l.* he ſhall not take above twelve pence.

LVI. This Act ſhall continue till the Tenth day of *September* 1674. and to the end of the Seſſion of Parliament then next enſuing, and no longer.

LVII. Stat. 1 *Jac.* 2. *cap.* 17. *The Act laſt above mentioned continued for ſeven years, and from thence to the end of the next Seſſion of Parliament.*

☞ Eſcheators.

I. Stat. 14 *E.* 3. 8. Eſcheators ſhall be choſen by the Chancellor, Treaſurer and chief Baron, calling to them the two chief Juſtices, as Sheriffs uſe to be choſen; and they ſhall not continue in their Office above one year.

II. Stat. 34 *E.* 3. *Stat.* 1. 13. Every Eſcheator ſhall take his Enqueſts of good and lawful Men, well inherited, and of good fame, and inhabiting the County where the Inquiry is made: and the Enqueſt ſo taken ſhall be indented between him and the Jurors; otherwiſe they ſhall be void. The Enqueſts ſhall alſo be taken in good Towns openly, and not privily.

III. Stat. 34 *E.* 3. *Stat.* 1. 14. Traverſes of Offices found before the Eſcheators ſhall be Tried in the Bench.

* IV. Stat. 36 *E.* 3. *Stat.* 1. 13. An Eſcheator ſhall have no Fee of the Lands of the Kings Ward, neither ſhall he commit any Waſte therein, in pain of forfeiting treble Damages at the Wards own Suit, or by his Friends. The ſame Law is alſo of other Land ſeiſed by Enqueſt of Office.

V. Land ſeiſed into the Kings hand by an Eſcheator, ſhall be Let to Farm by the Chancellor to him which tendreth a Traverſe to the Office.

VI. Enqueſts ſhall be taken openly and by Indenture, as aforeſaid: and if the Eſcheator do contrary to this Act, he ſhall ſuffer two years Impriſonment, and be Ranſomed at the Kings will.

VII. Stat. 42 *E.* 3. 5. None ſhall be Eſcheator unleſs he have 20 *l.* of Land at leaſt in Fee: He ſhall execute his Office in proper

Perſon, and upon the putting in of another, his Office determines.

VIII. Stat. 8 *H.* 6. 16. No Eſcheator or Commiſſioner ſhall take any Enqueſts but ſuch as are impannelled by the Sheriff of the County within which he bears that Office: in pain of 40 *l.* to be divided betwixt the King and the Party grieved.

IX. Lands ſeiſed by the Eſcheator ſhall not be Let to Farm before the Office be fully returned, and then they ſhall be Let to him that tendreth a Traverſe to the Office, he finding Surety to Proſecute it with effect, and to anſwer the Profits in caſe he cannot maintain the Traverſe: but then he muſt tender his Traverſe within a month after the Return.

X. The Eſcheator or Commiſſioner ſhall return the Office within a month, in pain of 20 *l.* to be divided betwixt the King and the Proſecutor.

XI. Stat. 18 *H.* 6. 6. No Lands ſhall be granted before the Kings Title thereunto be found by Inquiſition, nor within a month after, unleſs it be to him that tendreth his Traverſe as aforeſaid.

* XII. Stat. 18 *H.* 6. 7. The Eſcheator ſhall return an Office found before him, into the Chancery or Exchequer within one month after the taking thereof, in pain of 40 *l.* given by the Stat. of 8 *H.* 6. 16. and beſides to anſwer ſo much to the King as he is damnified for not returning the ſame.

XIII. Stat. 23 *H.* 6. 17. The Eſcheator ſhall take his Inqueſt within one month after the delivery of the Writ unto him, and that in ſome good Town openly.

XIV. He ſhall not take above 40 *s.* for the execution of one Writ in one County, and that only when his labour and coſts require it, otherwiſe he ought to take leſs: and all this in pain of 40 *l.* to be divided betwixt the King and the Proſecutor.

XV. If any will Traverſe an Office, no Protection ſhall lie for the Patentee: and concerning the Demiſe of the Lands to him that tenders a Traverſe, the Stat. of 36 *E.* 3. 13. 8 *H.* 6. 16 & 18 *H.* 6. 6. ſhall be duly obſerved.

XVI. Stat. 12 *E.* 4. 9. None ſhall take upon him to be an Eſcheator, or Deputy to an Eſcheator, unleſs the Eſcheator himſelf hath Free-hold within the County worth 20 *l. per annum*, in pain of 40 *l.* to be divided betwixt the King and the Proſecutor.

XVII. His Deputy or Farmer ſhall be a ſufficient Man, and ſhall certifie into the Exchequer his Deputation within 20 days next after it is made, upon the like pain of 40 *l.* to be divided as aforeſaid.

XVIII. Juſtices of Peace in Seſſions have power to hear and determine theſe Defaults, and give Judgment for the recovery of the ſaid Forfeitures.

XIX. This Statute ſhall not reſtrain Corporations which have power by their Charter to appoint Eſcheators.

XX. Stat. 1 *H.* 8. 8. No Office ſhall be returned into any of the Kings Courts but ſuch as is found by Jury, in pain to forfeit 5 *l.* to the Party grieved.

XXI. The

XXI. The yearly Revenue of an Eſcheator or Commiſſioner ſhall be 40 Marks in Free-hold in the ſame County, ſo that they ſhall not execute any Writ, unleſs they have Lands of that value, in pain of 20 *l.* and the Commiſſioner (not having ſuch an Eſtate) may refuſe to ſit, and ſhall be diſcharged upon Oath without Fine or Fee.

XXII. They ſhall ſit in open Places according to former Statutes, and ſhall take their Evidence openly, in pain of 40 *l.*

XXIII. Here, if the Sheriff return a Juror not having 40 *s. per annum* Free-hold in the ſame County, he ſhall forfeit 5 *l.*

XXIV. The Inquiſition ſhall be taken by Indenture, whereof one part ſhall remain with the Fore-man, and the other part is to be delivered by the Commiſſioners or Eſcheator into the Petty-Bag Office, from whence it is afterwards to be tranſcribed into the Exchequer: and the Jurors ſhall Preſent by Indenture, in pain to forfeit 20. *s.* apiece. The Eſcheator alſo, or the Commiſſioners, or ſome of them, ſhall receive the Jurors Preſentment without delay, in pain of 5 *l.*

XXV. The Officer in the Petty-Bag ſhall File the Office within three days after receit thereof, in pain of 40 *l.*

XXVI. The Officer in the Exchequer that refuſeth to receive an Office upon tender, ſhall forfeit 40 *l.* and then the Eſcheator or Commiſſioners ſhall be diſcharged of their Forfeiture of 40 *l.* for not returning the Officer within a month, ſo that they return another into the Chancery or Exchequer (as the cauſe requires) within a month after that firſt month.

XXVII. The Clerk of the Petty-Bag ſhall ſend a Tranſcript of the Office into the Exchequer the next Term after he receives it, in pain of 5 *l.*

XXVIII. None ſhall be Eſcheator above a year, nor within three years after: and the aboveſaid Forfeitures of 5 *l.* the Party grieved ſhall have, but the reſt ſhall be divided betwixt the King and the Proſecutor.

XXIX. This Act ſhall not reſtrain ſuch as by reaſon of any Franchiſe, Preſcription or Grant, may depute Eſcheators, but that ſuch Eſcheators may hold their Office above a year.

XXX. Neither ſhall the Branch of this Act concerning the yearly value of Eſtates of Eſcheators and Jurors extend to Corporations or priviledged Perſons and Places, the Counties Palatine of *Lancaſter* and *Cheſter* only excepted.

XXXI. Neither ſhall this Act extend to prejudice Juſtices of Peace for doing any thing which concerns the Commiſſion of Peace.

XXXII. Stat. 1 *H.* 8. 10. Lands ſeiſed into the Kings hands upon an Enqueſt of Office, ſhall be Let to Farm to him that tendreth to Traverſe the ſame within three months after ſuch Office found, notwithſtanding the Statute of 8 *H.* 6. 16.

XXXIII. Stat. 33 *H.* 8. 22. He that is certified in the Chancery by the Treaſurer to be Eſcheator, ſhall within one month take upon

upon him the Office, or ſhew cauſe in the Exchequer why he doth it not, in pain of 20 *l.*

XXXIV. The Eſcheator ſhall not ſit *virtute Officii* where the Lands be 5 *l. per annum* or above, in pain of 5 *l.*

XXXV. The Eſcheator ſhall forfeit 5 *l.* if he take for the finding of an Office of Lands that exceed not 5 *l. per annum* above 15 *s. viz.* for his own Fee 6 *s.* 8 *d.* for writing the Office 3 *s.* 4 *d.* for the Juries charges 3 *s.* and for the Officers above that are to receive the Office, 2 *s.*

XXXVI. The Officers appointed to receive Inquiſitions, ſhall receive them upon tender within a month after their finding, in pain of 5 *l.*

XXXVII. The aboveſaid Forfeitures ſhall be divided betwixt the King and the Proſecutor.

XXXVIII. Stat. 2 & 3 *E.* 6. 8. The Eſtates and Intereſt of others ſhall be ſaved, though they be not found in the Office.

XXXIX. Where an Heir of full age is found within age, he ſhall have a Writ of *Ætate probanda*, and may proceed to ſue out his Livery, or *Ouſter le main* (as his Caſe is) and receive the Profits of his Lands, notwithſtanding ſuch Office found.

XL. Where after the Kings Tenants death more Heirs than one are found, or if one untruly be found a Lunatick, Ideot, or dead, the Party grieved may have his Traverſe, as in other caſes of untrue Inquiſitions.

XLI. A Traverſe, or *Monſtrans de droit*, is given without Petition, though the King be Intitled by double matter of Record.

XLII. When the Jury finds *De quo vel de quibus, &c. ignorant*, or *Per quæ ſervitia ignorant*, the firſt ſhall not make a Tenure of the King, nor the laſt a Tenure in *Capite*, but in ſuch a caſe a *Melius inquirendum* ſhall iſſue forth.

XLIII. Traverſe given to an Office, where a wrong Tenure is found.

XLIV. The Rents of mean Lords ſhall be paid (during the Nonage of the Ward) by the Officer that receives the Revenue of Wards Lands.

XLV. This Act ſhall not extend to Inquiſitions taken before the 20th of *March* 1548.

XLVI. Upon every Traverſe a *Scire facias*, or two Writs of Search ſhall iſſue forth; *viz.* the firſt againſt the Kings Patentee, and the other when by the Common Law the Party grieved was put to his Petition.

XLVII. Notwithſtanding a Traverſe, the Kings former Right ſhall be reſerved.

Eſſoin.

I. Marlbr. 13. 52 *H.* 3. After Iſſue joyned in Dower, *Darrein Preſentment*, or *Quare impedit*, one Eſſoin or one Default only ſhall be allowed; and if the Party come not at the day given, or make Default the ſecond day, the Enqueſt ſhall be taken, and Judgment given.

II. If the Enqueſt be taken in the County before the Sheriff or Coroners, it ſhall be returned before the Juſtices at a certain day; when if the Party appear not, another day ſhall be aſſigned by the Juſtices, and then ſhall iſſue a Command to the Sheriff to cauſe the Party to come to hear the Judgment; when if he come not, the Juſtices ſhall proceed to Judgment. In like manner it ſhall be done if he come not at the day given by the Eſſoin.

III. Marlbr. 19. 52 *H.* 3. In Counties, Hundreds, Courts-Baron, or other Courts, none ſhall need to ſwear to warrant his Eſſoin.

IV. Weſt. 1. 42. 3 *E.* 1. In Aſſiſe, Attaints, and *Juris utrum*, after appearance the Tenant ſhall not be Eſſoined.

V. Weſt. 1. 43. 3 *E.* 1. Parceners or Tenants joyntly Enfeoffed, ſhall not Fourch by Eſſoin.

VI. Weſt. 1. 44. 3 *E.* 1. Eſſoin *ultra Mare* ſhall not be allowed, but ſhall be turned into a Default, if the Demandant will prove that the Tenant was within the four Seas the day of the Summons, and three weeks after. Howbeit, this is only to be done before Juſtices.

VII. Glouceſter 10. 6 *E.* 1. The Huſband and Wife being Impleaded, ſhall not Fourch by Eſſoin.

VIII. Weſt. 2. 12. 13 *E.* 1. There ſhall be no Eſſoin for any Appellant.

IX. Weſt. 2. 17. 13 *E.* 1. In the Circuit of the Juſtices an Eſſoin *De malo lecti* lieth not for Lands in the ſame County, unleſs the Party be ſick indeed: for if at the inſtance of the Demandant it be proved by Inqueſt that the Tenant is not ſick, the Eſſoin ſhall be turned to a Default.

X. Neither ſhall ſuch an Eſſoin lie in a Writ of Right between two claiming by one Deſcent.

XI. Weſt. 2. 27. 13 *E.* 1. An Eſſoin may be allowed at the next day after Inqueſt, but none at any of the other days following, nor after day given *prece partium*.

XII. Weſt. 2. 28. 13 *E.* 1. In Aſſiſe after appearance, the Demandant ſhall not be Eſſoined.

XIII. Stat. *Of Eſſoins*, 12 *E.* 2. Eſſoins do not lie in the enſuing Caſes: Where the Land is taken into the Kings hands; where the Party is Diſtrained by his Lands; where any Judgment is given thereupon; if the Jurors come; where the Party is ſeen in the Court. Eſſoin *ultra Mare* lieth not where the Party hath had before an Eſſoin *De mal venir*: it lieth not where the Party hath

Eſſoined

Eſſoined himſelf another day; where the Sheriff was commanded to make the Party to appear. Eſſoin *De ſervitio Regis* lieth not where the Party is a Woman; it lieth not in a Writ of Dower, or becauſe the Plaintiff hath not found Pledges; it lieth not where ſuch a mans Attorney was Eſſoined; where the Party hath an Attorney in his Suit; where the Eſſoiner confeſſeth that he is not in the Kings Service; where the Summons is not returned, or the Party not Attached; upon *Non eſt inventus* returned; where the Party was before Eſſoined *De ſervitio Regis*, and had not put in his Warrant; where the Party hath been re-ſummoned in Aſſiſe of *Mortdanceſtor*, or *Darrein Preſentment:* it lieth not becauſe ſuch a one is not named in the Writ; nor where the Sheriff hath a Precept to Diſtrain the Party to come by his Lands and Goods; nor where the Biſhop was commanded to cauſe the Party to appear; nor for that the day is paſt.

XIV. An Eſſoin *De ſervitio Regis* is allowed after the *Grand cape*, *Petit cape*, and Diſtreſſes taken upon the Lands and Goods.

XV. Stat. *De viſu Terræ.* An Eſſoin *De ſervitio Regis* lieth not in a Writ of *Novel Diſſeiſin*, *Dower*, *Darrein Preſentment*, or *Appeal*. *Vide Raſt. Eſſoin* 13.

Eſtates for lives, &c.

I. Stat. 19 *Car.* 2. *cap.* 6. If perſons for whoſe lives Eſtates are granted, remain beyond Sea, or abſent themſelves in this Realm, ſeven years together, and no evident proof be made of their lives in any Action commenced by the Leſſors or Reverſioners, for recovery of ſuch Tenements, they ſhall be accounted as dead. And in ſuch Actions the Leſſor or Reverſioner may take exception to a Juror, that the greateſt part of his real Eſtate is held by Leaſe or Copy for Lives.

II. This Act ſhall not extend to Lands held by the Lives of any perſons Attainted for the Murther of the late King, which have been veſted in the King, and are now granted to the Duke of *York*.

III. If after any perſons ſhall be evicted by vertue of this Act, the Perſons upon whoſe lives ſuch Eſtates depend, ſhall return from beyond Sea, or on proof in any Action for the ſame be made appear to be living, or have been living at the time of the Eviction, the Tenant, who was outed, his Executors, *&c.* may enter, *&c.* and upon Action againſt them that received the Profits, recover for Damages the full Profits with lawful Intereſt.

Eſtrepement.

I. Glouceſter 13. 6 *E.* 1. No Waſte ſhall be made hanging a Suit for the Land.

☞ Eſtreats.

Eſtreats.

I. Weſt. 1. 45. 3 *E.* 1. If Tenant or Defendant make Default after the firſt Attachment returned, the great Diſtreſs ſhall be awarded; whereupon if the Sheriff make no ſufficient Return, he ſhall be Amerced: but if the Return be that he hath done Execution, and delivered the Iſſues to the Sureties, day ſhall be given them to return them before the Juſtices; when if the Party appear, he ſhall have them, but if not, the King ſhall have them; and the Juſtices ſhall cauſe them to be ſent into the Kings Wardrobe, and then deliver them into the Exchequer, and the Juſtices in *Eyre* to the Sheriff of the County, (where they Plead) and likewiſe of foreign Counties, who ſhall be charged therewith by the Rolls of the Juſtices.

II. Stat. *De forma mittendi extractus ad Scaccarium*, 15 *E.* 2. *Vide Raſt. Eſtreats* 2. Firſt all Fines to have Writs, and all the Fines (wherein the Sum is expreſſed) of one County for the whole year, which are to be ſent into the Exchequer, Entred in the Streat of themſelves in one place, in order as they are entred in the Chancery-Rolls, together with the date of the day when ſuch Fine was made.

III. Next to them ſhall be Entred Charters, Letters Patents, and Commiſſions in which any Rent is due to the King, or any Accompt is to be made; then Homages, Fealties, Writs of *Diem clauſit extremum*, Reliefs and Services.

IV. Then, the Names of all ſuch as ſhall be aſſigned that year to hear, inquire of, or do any thing whereby Fine, Amerciament or other Profit may ariſe to the King, to the end they may be ſent to for the Eſtreats thereof. And in the end of the Eſtreat Re-diſſeiſins and Surcharging of Paſtures.

V. *Statutum Scaccarii* is Confirmed, and it is farther Ordained, That the Juſtices of both the Benches, the Warden of the Foreſt, the Steward of the Kings Houſe, and the Clerk of the Market, ſhall in like manner yearly deliver their Eſtreats in the Exchequer: The Steward of the Kings Houſe ſhall alſo ſend his Eſtreats yearly at the cloſe of *Eaſter* Term, and the next day after *Michaelmas*.

VI. The Warden alſo of the Aulnage ſhall yearly deliver his Eſtreats to the Treaſurer, containing all defaults of Cloth contrary to the Aſſiſe, and the Price at which he delivered them, and alſo where, when, and by what Warrant.

VII. Divers other Proviſions for the Kings Butler, and Cuſtomers, concerning Wines Imported.

VIII. Stat. 42 *E.* 3. 9. The Party chargeable by the Eſtreats of Green-Wax, upon payment thereof ſhall ſee the Schedules themſelves under Seal, and the Charge being paid, it ſhall be Totted by the Sheriff; for default whereof, if the Party be aftewards damnified, the Sheriff ſhall pay him treble Damages, to be recovered before Juſtices of Peace, or other Juſtices, and ſhall beſides make Fine to the King. Alſo where the Copies of the Eſtreats concern

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Franchiſes, they ſhall be delivered to Bailiffs of the Franchiſes under the Sheriffs Seal, which Bailiffs ſhall render an Account thereof in the Exchequer by the ſame Copies.

IX. Stat. 7 *H.* 4. 3. The Juſtices and Judges before whom Iſſues or Amerciaments are forfeit, ſhall charge the Clerks of the Eſtreats, where they are ſo forfeit, by Oath to expreſs in their Rolls the Cauſe of ſuch Forfeit, the Term when, the nature of the Writ whereupon, and betwixt what Parties they were loſt, and that as well in the Kings Suit as in the Parties.

X. The Stat. of 42 *E.* 3. 9. Confirmed.

Evidence.

I. Stat. 7 *Jac.* 1. 5. An Action being brought againſt a Juſtice of Peace, Mayor or Bailiff of a Corporation, Headborough, Port-Reeve, Conſtable, Tything-man, or Collector of Subſidies or Fifteens, for any thing done by reaſon of their ſeveral Offices, both they and all their Aſſiſtants may Plead the General Iſſue, and yet give the ſpecial matter in Evidence.

II. Here, if the Verdict paſs for the Defendant, or the Plaintiff be Non-ſuit or diſcontinue his Suit, the Defendant ſhall be allowed double Coſts, to be recovered as Coſts in other Caſes given to the Defendant uſe to be recovered.

III. Stat. 21 *Jac.* 12. The Statute of 7 *Jac.* 5. is Confirmed, and Churchwardens, Sworn-men, and Overſeers of the Poor together with their Aſſiſtants, are to be comprehended within the purview of the ſame Statute.

IV. An Action brought againſt any the ſaid Officers, their Deputies or Aſſiſtants, ſhall be laid in the County where the Fact was committed, and not elſewhere.

V. *V. Tit.* Collectors *Sect.* 2.

Exception.

I. Weſt. 2. 31. 13 *E.* 1. When the Juſtices will not allow a Bill of Exception upon Prayer, if the Party Impleaded tender the ſame unto them in Writing, and requires their Seals thereunto, they or one of them ſhall do it.

II. If the Exception Sealed be not put into the Roll, upon complaint thereof to the King the Juſtice ſhall be ſent for, and if he cannot deny the Seal, the Court ſhall proceed to Judgment according to the Exception.

Excise.

I. Stat. 12 *Car.* 2. *cap.* 23. There shall be paid to the King for his Life the Impositions following, *viz.*

1. For every Barrel of Beer or Ale above 6 *s.* the Barrel, Brewed by any that sell the same, to be paid by the Brewer, 15 *d.*
2. For every such Barrel of 6 *s.* or under, 3 *d.*
3 For every Hogshead of Cyder and Perry sold by Retail, to be paid by the Retailer, 15 *d.*
4. For every Gallon of Metheglin or Mead sold by Retail or otherwise, to be paid by the Maker, *ob.*
5. For a Barrel of Vineger-beer brew'd by a common Brewer, 6 *d.*
6. For a Gallon of Strong-water or *Aquavitæ*, to be paid by the Maker, 1 *d.*
7. For a Barrel of Beer or Ale Imported from beyond Seas, 3 *s.*
8. For a Tun of Cyder or Perry Imported, 5 *s.*
9. For a Gallon of Spirits made of Wine or Cyder Imported, 2 *d.*
10. For a Gallon of Strong-water Imported, 4 *d.*
11. For a Gallon of Coffee to be paid by the Maker, 4 *d.*
12. For a Gallon of Chocolade, Sherbet, and Tea, 8 *d.* and so proportionably for greater or lesser quantities.

II. The said Duties hereby set on Foreign Liquors Imported, shall be paid by the Merchant-Importer in ready Money, upon his Entry made and before Landing.

III. Common Brewers of Beer and Ale shall once a week, and all Retailers of Beer, Ale, Cyder, Perry, Metheglin, or Strong-water, shall once a month make true Entries at the Office of Excise of all the Liquors aforesaid which they Brew or Retail: in default whereof common Brewers shall forfeit 5 *l.* Inn-keepers 5 *l.* other Retailers 20 *s.* Common Brewers not clearing within a week, and Retailers within a month after they make or ought to make Entries, shall pay double the Duty. But none living in a Market-Town, shall be compelled to Travel out, nor living out of one, to Travel to any other Place than the next Market-Town in the same County on the Market-day, to make such Entries and Payment.

IV. The Commissioners and Sub-Commissioners may under their Hands and Seals constitute Gaugers, who may by day, or in the presence of a Constable or other Officer by night, enter into any places belonging to Brewers, Victuallers, Distillers of the Liquors aforesaid, and gage Coppers and Vessels, and take an account of the said Liquors: and make return thereof to the Commissioners, or Sub-Commissioners, *&c.* leaving a Copy thereof under their Hands with the said Brewers, *&c.* such returns to be a charge on the said Brewers, *&c.* Brewers, *&c.* refusing to permit the Gaugers to enter, shall be forbidden by them to sell the said Liquors, and if they sell after such warning, or deliver out any the said Liquors, not having cleared the Duty, they shall lose 5 *l.* beside the double value.

V. Thirty

V. Thirty six Gallons of Beer go to a Barrel, and 32 Gallons of Ale to a Barrel of Ale, and the other Liquors aforesaid according to the Wine-gallon. Brewers and Retailers of Beer and Ale shall sell at the usual rates: saving that common Brewers may receive the Excise due over and above.

VI. Common Brewers, not selling by retail, shall be allowed for Waste and Leakage, upon 23 Barrels of Beer, 3 Barrels: upon 22 of Ale, 2 Barrels: which Allowances in case of false Entries, and Conviction thereof before two of the Commissioners, shall be forfeited for 6 months.

VII. No Beer or Ale shall be delivered by the Brewer to the Retailer till he be paid the Excise over and above the Price.

VIII. Persons Brewing and Retailing small quantities of Beer and Ale in Fairs, and who are not usual Brewers and Retailers thereof, paying the Excise, shall be discharged from all the Penalties in this Act for so much and no more.

IX. The Commissioners and Sub-Commissioners may compound for this Duty with Retailers. And the Lord-Treasurer or Commissioners of the Treasury may Farm the Duties upon all the Liquors aforesaid, not exceeding the term of three years.

X. Offences against this Act within the Limits of the chief Office, in *London*, shall be determined by the said chief Commissioners, or greater part of them, or by the Commissioners for Appeals, or major part of them in case of Appeal; and Offences committed elsewhere by two or more Justices of the Peace near the Place where they shall be committed, or, in case of refusal or neglect of them by the space of 14 days after complaint, and notice to the Offender, by the Sub-Commissioners, or major part of them: the Party grieved by the Judgment given by the Sub-Commissioners, may appeal to the Quarter-Sessions, whose Judgment shall be final. All which Commissioners and Justices of Peace, *&c.* upon appearance or contempt of the Party accused upon Summons, may examine the matter, and upon proof by Confession, or Oath of one Witness, may give Sentence, and issue Warrants for Levying the Forfeitures by Distress and Sale of Goods, if not redeemed within 14 days, and for want of Distress to Imprison till Satisfaction: and at their discretion may lessen the Forfeiture, so as by such mitigation it be not less than double the Excise due, besides Costs and Charges; three fourths of all which Forfeitures to the King, the other fourth to the Informer. One principal Head-Office shall be in *London*, or within 10 miles of it, as long as the King shall think fit, to which all other Offices shall be accountable: the Officers whereof shall be appointed by the King, who, or any two of them, are hereby constituted Governours for the management of the Kings Receit of the Excise.

XI. None shall meddle with any Office relating to the Excise till they have taken the Oaths of Allegiance and Supremacy before two Justices of Peace of the County where such Office is, or one Baron of the Exchequer, and this Oath *mutatis mutandis*;

You shall swear to execute the Office of truly and faithfully without favour or affection, and shall from time to time true Account make and deliver to such Person and Persons as his Majesty shall appoint to receive the same, and shall take no Fee or Reward for the execution of the said Office, from any other Person than from his Majesty, or those whom his Majesty shall appoint in that behalf. The taking of which Oath the Justices of Peace shall certifie to the next Quarter-Sessions there to be Recorded.

XII. All Places within the weekly Bills of Mortality, shall be under the Inspection of the Head-Office. Subordinate Commissioners for other Places shall be appointed by the King. The said Office shall be kept open from eight in the morning to 12 at noon, and from two in the afternoon to five. The chief Commissioners shall pay what they receive from time to time into the Exchequer.

XIII. Persons sued for acting in pursuance of this Law, may Plead the General Issue. And if a Verdict pass for the Defendant, or the Plaintiff be Non-suit, the Defendant shall have double Costs.

XIV. No Writ of *Certiorari* shall supersede Proceedings upon any Order by the Justices of Peace in pursuance of this Act. Confirmed 13 *Car.* 2. *cap.* 7.

XV. Stat. 1 *Jac.* 2. *cap.* 1. The several Rates, Duties and Impositions upon Beer, Ale, Cyder and other Liquors aforesaid, shall be paid to King *James* the Second during his life, and the said last mentioned Act shall be of force during the said Kings life, as if at large recited over again.

XVI. Stat. 12 *Car.* 2. *cap.* 24. There shall be paid to the King his Heirs and Successors in recompence for the Profits of the Court of Wards and Purveyance, the Impositions hereafter expressed. *which are the same verbatim with those in* cap. 23. supra, *which long Act is here repeated word for word.* Confirmed 13 *Car.* 2. *cap.* 7.

XVII. Stat. 15 *Car.* 2. *cap.* 11. No Brewer or Retailer of Beer or Ale, without giving notice at the next Office of Excise, or to one of the Commissioners, Farmers, or Sub-Commissioners within the Limits of whose Office he inhabits, shall fit up, alter or inlarge any Tun, Fatt, Back, Cooler or Copper, and use them for making Beer or Ale, or Worts, or keep any private Store-house for laying such Liquors in Cask, on pain to forfeit 50 *l.* for every Tun, *&c.* and they in whose occupation any House, *&c.* is, in which such concealed Tun, *&c.* shall be discovered, shall forfeit 50 *l.* and such concealed Tun, so discovered or altered, with all Beer, Ale, or Worts therein, may be seised and delivered to the Overseers of the Poor, to be sold for the Poors use, or be distributed amongst them.

XVIII. No Commissioners for regulating the Excise shall Farm it, nor shall Farmers of the same act as Commissioners, on pain of being disabled for ever to be either Farmers or Commissioners. Acts done by such shall be void in Law, and Persons molested by their authority may bring their Actions, and recover Damages against

them. And Letters Patents enabling Farmers to be Commissioners or Sub-Commissioners, shall be void in Law. *Vid. infr. Sect. XI.*

XIX. Gagers of the Excise shall weekly after the Brewer hath, or ought to have made his Entry, deliver at his House a Copy of such return as they have made thereof to the Commissioners, on pain to forfeit 40 *s.* No Brewer shall be prosecuted for any Mis-Entry or short Entry, if within a week after delivery of such Copy, he certifie his Entry according to the said Return, or otherwise discharge himself.

XX. As oft as occasion shall be, two able Artists shall be appointed, one by the Commissioners or Farmers, *&c.* and one by the Brewers of any City or Place, who shall take Oath before a Justice to compute the Contents and Gage of all Brewing Vessels, and to give one Copy thereof to the Commissioners, Farmers, *&c.* and another to every Brewer. Such computation shall be according to the Measures expresst in the former Acts for Excise.

XXI. No Commissioner, Farmer, Brewer or Inn-keeper, shall execute as a Justice of Peace any Laws concerning the Excise; if they do, their Acts shall be void.

XXII. The Commissioners, Farmers and Sub-Commissioners in each County, shall depute under Hand and Seal Persons in each Market-Town, to perform all things touching the said Duty, which Persons (and the Place where they intend to hold their Office) being the next Market-day published, shall attend on every Market-day from 9 in the morning till 12 at noon, and from 2 till 5 in the afternoon, on pain to forfeit 10 *l.* half to the King, half to the Prosecutor. Such as come to make Entry and Payment, and tender the same according to the said Acts, and can prove such tender by one Witness, shall be liable to no Forfeiture.

XXIII. No Brewer shall deliver or carry out Beer or Ale to his Customers in any City, Town-Corporate, or Market-Town, before notice given to an Officer of Excise, but between 3 a clock in the morning and 9 in the evening, from the 25*th* of *March* to the 29*th* of *September*, and between 5 in the morning and 7 in the evening, from the 29*th* of *September* to the 25*th* of *March*, on pain to forfeit 20 *s.* for every Barrel so carried out.

XXIV. If any Brewer or Retailer, after account taken by the Gauger of his Beer and Ale, *&c.* convert small Beer or small Worts into strong Beer or Ale, and deliver out the same without giving notice to the Gauger, or conceal any Beer, Ale or Worts, from view of the Gauger, he shall forfeit for every Barrel 20 *s.*

XXV. Utensils for Brewing into whose hands soever they come are hereby charged with all the Duties of Excise owing by any for Beer or Ale made in the said Brew-house, and all Forfeitures incurred for any Offence against the Statute for Excise.

XXVI. No Brewer or other, who shall compound for his Excise, shall Brew, or suffer to be Brewed within his Brew-house for any other Brewer, any Beer or Ale, without giving notice thereof to the Com-

Commissioners, Farmers, or Sub-Commissioners, and paying the Excise, on pain that both he that Brews, and he for whom it is Brewed, shall forfeit for every Barrel 5 *l.* half to the King, and half to the Informer.

XXVII. None shall sell or Retail Coffee, Chocolade, Sherbet or Tea, without Licence from the General Sessions of the Peace for the respective Counties, Certificate being first shewed that they have given good Security for payment of their Dues, (for which Licence, Security and Recognisance but 12 *d.* shall be given) on pain to forfeit 5 *l.* a month.

XXVIII. No Brewer or other shall bribe any Gauger or other Officer, nor they take any Bribe, on pain to forfeit 10 *l.* which Offences shall be proved by two Witnesses before two Justices of Peace or chief Magistrate of the Place where committed; the Penalties to be Levyed by Distress and Sale of Goods by Warrant under their Hands and Seals, and for want of such Distress, the Offenders to be Committed 3 months.

XXIX. No Imported Liquors shall be Landed before Entry made, or the Duty paid. And every Warrant for Landing such Liquors shall be Signed by the Officer of the Excise for the Place where, *&c.* and all such Liquors otherwise Landed, or without the presence of an Officer, or the value of such Liquors, shall be forfeited, half to the King, and half to him that will seise or sue for the same.

XXX. No Persons Importing Exciseable Liquors, other than Beer, Ale, Cyder, Perry and Metheglin, nor any to whom they are consigned, shall Land them without making due Entry, on pain to forfeit double the value.

XXXI. No Appeal in any Cause of Excise shall be admitted till the Appellant have deposited the single Duty in the hands of the Commissioners, *&c.* and given Security to the Commissioners of Appeal, or, *&c.* for all such Penalty as was adjudged against him. If the Judgment be reversed, the single Duty, or so much as shall be adjudged shall be restored, and the Party originally Prosecuting, shall pay double Costs: if affirmed, the Appellant shall pay like Costs.

XXXII. All Persons making Beer to convert into Vineger for Sale, shall pay for every Barrel of such Vineger-Beer, as common Brewers do.

XXXIII. Colledges and Halls in either University, which before the Duty of Excise imposed, did Brew their own Beer and Ale, shall pay no Excise.

XXXIV. Differences and Appeals concerning the Excise shall be determined in the proper Counties, or the several Ridings and Divisions of *Yorkshire* and *Lincolnshire*.

XXXV. No Officer of Excise shall take any Fee for any Bond, Receit, or Note, on pain to forfeit 10 *s.*

XXXVI. The Justices of Peace or two of them, or chief Magistrates in the several Counties, Cities and Places, shall meet once a

month or oftner, to determine all Matters and Offences againſt this Act.

XXXVII. One third part of all Forfeitures not herein otherwiſe diſpoſed, ſhall be to the King: another third to the Poor of the Pariſh, where the Offence ſhall be committed; the other third to the Informer: and all Fines and Forfeitures, for which no remedy is ordained for the recovery thereof by this Act, ſhall be recovered by Action of Debt, Bill, *&c.* in any Court of Record, or as by the former Act is directed.

XXXVIII. No Appeal within the Limits of the chief Office of *London* ſhall be admitted, that is not brought within 2 months, nor elſewhere, that is not brought within 4 months after the firſt Judgment, and notice given or left at the Houſe of the Party concerned therein.

XXXIX. No perſon ſhall be employed in the Farming, Collecting or taking Accounts for the Duty of Exciſe till he have taken the Oaths appointed by 12 *Car.* 2. *cap.* 23. before the perſons thereby appointed, and have entred his Certificate for taking them with the Auditor for Exciſe, on pain of 50 *l.* for every months neglect.

XL. Stat. 15 *Car.* 2. *cap.* 12. Where the Commiſſioners for the time being have iſſued Summons, which hath been left at the Houſe, or with the Wife, Child, or Servant of any Perſon chargeable, it ſhall be deemed a good Summons.

XLI. Stat. 16 & 17 *Car.* 2. *cap.* 4. Farmers of Exciſe may exerciſe ſuch Powers and Authorities, as Commiſſioners and Sub-Commiſſioners may, except the Judicial part of their Office.

XLII. Stat. 22 *Car.* 2. *cap.* 4. Brandy was and is charged by the Acts of 12 *Car.* 2. *cap.* 23 & 24. with the Duty of 8 *d. per* Gallon Impoſed upon Strong-water, and not with the Duty of 4 *d. per* Gallon only, Impoſed upon Spirits made of Wine or Cyder Imported.

XLIII. Stat. 1 *Jac.* 2. *cap.* 5. An Act giving an Additional Duty upon Brandies for five years: *Which ſee Tit.* Cuſtomes, 101.

Excommunication.

I. *Sententia lata ſuper Chartas* 38 *H.* 3. *Vide Raſt. Excom.* 1. In the year 1254. by the conſent, and in the preſence of the King, the Lords and other Eſtates of the Realm, *Boniface* Archbiſhop of *Canterbury*, and all the other Biſhops then preſent, being apparelled in Pontificals with Tapers burning, do in *weſtminſter-Hall* ſolemnly denounce a heavy Curſe and Excommunication againſt all ſuch as ſhall violate or break the Liberties of the Church, or Cuſtoms and Liberties of the Realm, and eſpecially contained in *Magna Charta*, and *Charta de Foreſta*.

II. Artic. Cleri 7. 9 *E.* 2. The Kings Letters, that Ordinaries ſhall Abſolve Excommunicate Perſons, ſhall not iſſue forth any more, unleſs it be found that the Kings Liberty is prejudiced by ſuch Excommunication.

III. It-

III. Artic. Cler. 12. 9 E. 2. The Writ of *Excommunicato capiendo* ſhall not be denied for the Priviledge of being of the Kings Tenure, and that the Party ought not to be cited out of his Pariſh.

IV. Stat. 9 E. 3. Writs are ordained for the Biſhops to Excommunicate all Perturbers of the Peace of the Church and King, Felons, Maintainers and Conſpirators of Felonies, falſe Jurors, and Maintainers of falſe Quarrels, every Sunday and double Feaſt, *&c.* in all Cathedral and other Churches, and to proceed againſt them according to the Canon Laws. *Vide Raſt. Abridgm.*

Excommunicato capiendo.

I. Stat. 5 *Eliz.* 23. Every Writ *De Excommunicato capiendo* ſhall be made in Term-time, and returnable in the Kings Bench the next Term after the *Teſte* thereof, having 20 days betwixt the *Teſte* and Return.

II. After the Writ ſhall be Sealed, it ſhall be forthwith brought into the Kings Bench, and there opened and delivered of Record to the Sheriff or other Officer, or other Deputies to whom the Execution thereof appertains; and then if the Sheriff or other Officer do not duly execute it, the Juſtices there ſhall Amerce him at their diſcretion, and Eſtreat the Amerciament into the Exchequer.

III. At the return of the Writ, the Sheriff or, *&c.* ſhall not be compelled to bring the Party Arreſted in the Kings Bench, but only return the Writ with a ſhort declaration how it was executed, to the end the Juſtices may proceed therein according to the tenour of this Act.

IV. If the Sheriff or, *&c.* return a *Non eſt inventus*, then ſhall iſſue out of the Kings Bench a *Capias* returnable in Term-time two months (at leaſt) after the *Teſte* thereof, with a Proclamation to be made 10 days (at leaſt) before the return at the County-Court, Aſſiſe, Gaol-delivery or Seſſions, that the Party ſhall within ſix days after ſuch Proclamation yield his Body to the Gaol, and there remain as a Priſoner, in pain of 10 *l.* And what ſhall be done therein, and thereupon, ſhall be returned by the Sheriff or, *&c.*

V. If upon the return it appear that the Party hath not rendred himſelf Priſoner upon the firſt *Capias*, he ſhall forfeit 10 *l.* more, to be Eſtreated as aforeſaid, and then a ſecond *Capias* ſhall be Awarded againſt him, with Proclamation as before, and a pain to forfeit 20 *l.* whereupon if he do not render himſelf Priſoner, he ſhall forfeit 20 *l.* to be Eſtreated by the Juſtices as aforeſaid; and then a third *Capias* ſhall be Awarded, with like Proclamation and Pain; and then a fourth, and ſo infinitely, until he render himſelf Priſoner, upon the ſeveral returns whereof he ſhall forfeit 20 *l.* to be Eſtreated as aforeſaid.

VI. The Party yielding, his Body ſhall be committed to Priſon in like ſort as if he had been taken upon the *Excom. cap.*

VII. If the Sheriff, *&c.* makes a false Return upon any of the said Writs, he shall forfeit to the Party grieved 40 *l.*

VIII. The Bishops Authority to receive Submission, and deliver the Excommunicate, is saved, according to the former usage, *viz.* by a Certificate thereof into the Chancery from the Bishop, and then a Writ from thence to deliver the Prisoner.

IX. In *Wales*, the Counties Palatine of *Lancaster*, *Chester*, *Durham*, and *Ely*, and in the Cinque-Ports, (being Jurisdictions exempt, where the Queens Writ runneth not) a *Significavit* (being on Record in Chancery) shall be sent by *Mittimus* to the Justices or Head-Officers there, who shall then proceed against the Excommunicate as the Kings-Bench is above directed.

X. Persons in Prison, beyond Sea, under Age, of *non sane* Memory, or Covert, shall not incur the Penalties aforesaid.

XI. If in the *Excom. cap.* the Excommunicate have not a sufficient Addition, according to the Statute of 1 *H.* 5. 5. or if in the *Significavit* it be not contained, that the Excommunication proceeds upon some Cause or Content of some original matter of Heresie, refusing to have his Child Baptized, to receive the Sacrament, to come to Divine Service, or Error in matters of Religion or Doctrine, Incontinency, Usury, Simony, Perjury in the Ecclesiastical Court, or Idolatry, he shall not incur the Penalties aforesaid.

XII. If the Addition be with a *Nuper* of a Place, the first *Capias* and Proclamation shall issue forth without any Penalty; and in such case also, if the party be proclaimed in a County where he is not for the most part resiant, he shall not incur the Forfeitures aforesaid.

Execution.

I. *West.* 2. 18. 13 *E.* 1. He that recovereth a Debt or Damages in the Kings Court, may at his choice have a *Fieri facias* of the Land and Chattels of the Debtor, or a Writ for the Sheriff to deliver him all the Chattels of the Debtor, (except Oxen and Plough-Beasts) and the moiety of his Land, by a reasonable Extent, till the Debt be Levied: and if he be ejected out of the Land, he shall have an Assise, and afterward a Writ of Disseisin if need be. And this last Writ is called an *Elegit*.

II. *West.* 2. 45. 13 *E.* 1. For all things Recorded before the Kings Justices, or contained in Fines, (whether Contracts, Covenants, Obligations, Services, for Customs acknowledged, or any other things Enrolled) a Writ of Execution shall be within the year, but after the year a *Scire facias*; whereupon if Satisfaction be not made, or good cause shewed, the Sheriff shall be commanded to do Execution.

III. In like manner also shall the Ordinary be commanded in his case. Howbeit as concerning a Mesne, which by Recognisance or Judgment is bound to acquit, what is said before (*which see in* Mesne I.) must be observed.

IV. Stat.

IV. Stat. 32 *H.* 8. 5. If Lands delivered in Execution on juſt cauſe be recovered without fraud from the Tenant in Execution before he ſhall have Levied or received his whole Debt and Damages, he may have a *Scire facias* out of the Court from whence he had the Execution, returnable into the ſame Court at a day (40 days at leaſt) after the date of ſuch *Scire facias*; at which day if the Defendant, being lawfully warned, make default, or do appear, and do not plead a ſufficient cauſe (other than the former acceptance of the Lands) to avoid the ſaid Suit for the reſidue of the ſaid Debt and Damages, the ſaid Court ſhall iſſue forth a new Writ of Execution for the Levying thereof.

V. Stat. 1 *Jac.* 1. 13. If any taken in Execution be delivered by Priviledge of Parliament, as ſoon as ſuch Priviledge ceaſeth, the Plaintiff, his Executors or Adminiſtrators, may ſue out a new Execution againſt him; and the Sheriff or other Officer, ſhall not be chargeable for the firſt Arreſt.

VI. This Act ſhall not leſſen the puniſhment of any, by cenſure of Parliament, who ſhall preſume to procure ſuch an Arreſt.

VII. Stat. 3 *Jac.* 1. 8. No Execution ſhall be ſtayed upon any Writ of Error or *Superſedeas* thereupon, for the reverſing of a Judgment in any Action of Debt, or upon any Contract, in the Courts at *Weſtminſter*, of the Counties Palatine of *Lancaſter*, *Cheſter*, or *Durham*, or of the great Seſſions in *Wales*, unleſs the ſaid Plaintiff, with two ſufficient Sureties, (ſuch as the Court ſhall like of) ſhall firſt be bound to the party (for whom ſuch Judgment is given) by Recogniſance in the ſame Court, in double the Sum adjudged, to proſecute the ſaid Writ of Error with effect, and to pay (if the Judgment be affirmed) all Debts, Damages and Coſts ſo adjudged, and all Coſts and Damages for delaying of Execution by the Writ of Error.

VIII. Stat. 21 *Jac.* 1. 24. The party or parties at whoſe Suit any perſon ſhall ſtand charged in Execution for Debts or Damages recovered, their Executors or Adminiſtrators, may, after the death of the perſon ſo charged in Execution, lawfully ſue forth new Execution againſt the Lands and Tenements, Goods and Chattels, of the perſon ſo deceaſed, in like manner as if the perſon deceaſed had never been taken in Execution. Howbeit, this Act ſhall not extend to Lands ſold *bona fide* (after the Judgment given) when the Money raiſed thereupon is paid, or ſecured to be paid, to Creditors in diſcharge of due Debts.

IX. 13 *Car.* 2. *Stat.* 2. *cap.* 2. No Execution ſhall be ſtayed in any of the Courts mentioned in 3 *Jac. cap.* 8. by Writ of Error or *Superſedeas* thereon, after Verdict and Judgment thereupon in any Action of Debt upon 2 *Ed.* 6. for not ſetting out Tythes, Action upon the Caſe, upon promiſe for payment of Money, Action ſur Trover, Covenant, Detinue and Treſpaſs, unleſs ſuch Recogniſance as by the ſaid Act is directed, be firſt acknowledged.

X. Stat. 16 & 17 *Car.* 2. *cap.* 8. No Execution ſhall be ſtayed in the Kings Courts at *Weſtminſter*, Courts of Record in the Coun-

ties Palatine of *Lancaſter*, *Cheſter* or *Durham*, or of the great Seſſions in any the 12 Shires of *Wales*, by Writ of Error after a Verdict and Judgment thereupon in any perſonal Action, unleſs a Recogniſance according to 3 *Jac. cap.* 8. be firſt acknowledged. Nor ſhall Execution be ſtayed by Writs of Error upon any Judgment after Verdict in Dower or *Ejectione firmæ*, unleſs the Plaintiff in ſuch Writ of Error become bound to the Defendant in ſuch Sum as the Court to whom the Writ is directed ſhall think fit, that if the Judgment be affirmed, or the Writ diſcontinued in his Default, or he be Non-ſuit, he will pay ſuch Damages and Sums of Money (to aſcertain which a Writ of Enquiry ſhall iſſue to enquire of the mean Profits and Damages by Waſte done after the firſt Judgment) as ſhall be Awarded, and Coſts of Suit.

XI. Writs of Error brought by Executors and Adminiſtrators, Actions on Penal Laws (except on 2 *Ed.* 6. for not ſetting out Tythes) Indictments, Preſentments, Informations and Appeals excepted.

XII. This Act ſhall continue for three years, and to the end of the next Seſſion of Parliament after.

XIII. Made perpetual *Stat.* 22 & 23 *Car.* 2. *cap.* 4.

Execution of Statutes.

I. Stat. 3 *H.* 7. 1. The Lord Chancellor, Treaſurer, or Privy Seal, or any two of them, calling to them a Biſhop, a Lord of the Council, and the two chief Juſtices, (or two other Juſtices in their abſence) upon Bill of Information put to the Chancellor for the King or any other, for Maintenance, Retainers, Embraceries, untrue demeanings of Sheriffs, taking of Money by Juries, great Riots, or unlawful Aſſemblies, have Authority to call before them by Writ or Privy Seal the ſaid Miſdoers, and them, and others to examine, and to puniſh them according to the Statutes in that behalf made, in like manner as if they were convict by due order of Law.

II. Stat. 21 *H.* 8. 20. The Preſident of the Kings Council ſhall be aſſociate with the Lord Chancellor, &c. for the examination and puniſhment of the Miſdoers aforeſaid, according to the ſaid Statute of 3 *H.* 7. 1. and other Statutes thereof made.

Executors.

I. Weſt. 2. 23. 13. *E* 1. Executors ſhall have a Writ of Accompt, and like Action and Proceſs in the ſame Writ as their Teſtator ſhould, if he had lived.

II. Stat. 4 *E.* 3. 7. Executors ſhall have an Action for a Treſpaſs done to their Teſtator, as for his Goods and Chattels carried away in his life, and ſhall recover their Damage in like manner as he whoſe Executors they are or ſhould have done, if he had lived.

III. Stat.

III. Stat. 9 E. 3. *Stat.* 1. 3. In a Writ of Debt brought againſt Executors, they ſhall have but one Eſſoin amongſt them all before Appearance, and another after, ſo that they ſhall not Fourch by Eſſoin.

IV. Here, though the Sheriff upon the Summons return *Nihil*, yet an Attachment ſhall be Awarded, and upon *Nihil* alſo returned thereupon, the great Diſtreſs, and then he or they that appear, ſhall anſwer.

V. Albeit ſome of them after Appearance make Default at the return of the great Diſtreſs, yet ſhall he or they be put to anſwer that firſt appeared at the great Diſtreſs ſo returned.

VI. If Judgment paſs for the Plaintiff, he ſhall have Judgment and Execution againſt them that have Pleaded, and againſt all others named in the Writ, of the Teſtators Goods, as well as if they had all Pleaded.

VII. Any may ſue in this caſe according to the Law formerly uſed, (if he pleaſe) notwithſtanding this Statute.

VIII. 25 *E.* 3. *Stat.* 5. 5. Executors of Executors ſhall have Actions of Debt, Account, and of Goods carried away of the firſt Teſtators, and Execution of Statute-Merchants and Recogniſances made unto him, and ſhall alſo anſwer to others ſo far forth as they ſhall recover of the firſt Teſtators Goods, as the firſt Executors ſhould have done.

IX. Stat. 33 *H.* 6. 1. Where Servants after the death of their Lords or Maſters do imbezil their Goods, after full information thereof made to the Lord-Chancellor by the Executors or two of them, of ſuch ſpoil made, the ſaid Lord-Chancellor, by advice of the two chief Juſtices and chief Baron, or two of them, ſhall have power to make ſuch Writs to be directed to ſuch Sheriffs as to them ſhall ſeem fit, to make Proclamation in ſuch Places, within 12 days after delivery of the ſaid Writs, as to the ſaid Chancellor by the advice aforeſaid ſhall ſeem reaſonable, that the Offender appear in the Kings-Bench at the day limited in the Writ; which Proclamation ſhall be made 15 days before the day of Appearance; when if the Offender appear not, he ſhall be Attainted of Felony.

X. If the party appear, the Juſtices ſhall commit him to Priſon, there to remain until he hath anſwered the Executors in their Actions, and the ſame Actions be determined; provided that they be purſued with effect, and not ſlackly.

XI. The Offender may be Bailed by the Juſtices of that Bench, procuring two ſufficient perſons to be bound with them to the Executors by Recogniſance in the ſame Court, to keep ſuch day as he ſhall have by the ſame Court.

XII. The Gaoler ſhall not let them go at liberty without the Juſtices Order, in pain of 40 *l.*

XIII. Stat. 21 *H.* 8. 4. That part of the Executors which take upon them the charge of a Will, may ſell any Land deviſed by the Teſtator to be ſold, albeit the other part, which refuſe, will not joyn with them.

XIV. Stat.

XIV. Stat. 43 *Eliz.* 8. If any perſon ſhall obtain any Goods or Debts of an Inteſtate, or Releaſes or other Diſcharge of any Debt or Duty, (which belonged to the Inteſtate) by fraud, as by (procuring the Adminiſtration to be granted to a Stranger of mean Eſtate, and not to be found, with intent thereby to obtain the Inteſtates Eſtate) and not upon valuable Conſideration, or in ſatisfaction of ſome juſt Debt anſwerable to the value of the Goods ſo obtained, in ſuch caſe ſuch perſon ſhall be chargeable as Executor of his own wrong, ſo far as the value of the Goods or Debts ſo obtained ſhall amount unto. Howbeit he ſhall alſo be allowed ſuch reaſonable Deductions as other Executors or Adminiſtrators ought to have.

XV. Stat. 30 *Car.* 2. *cap.* 7. Executors and Adminiſtrators of any who as Executors, or Executors in their own wrong, or Adminiſtrators ſhall after the 1ſt of *Auguſt* 1678, waſte or convert any Eſtate of any perſon deceaſed, to their own uſe, ſhall be chargeable as their Teſtator Inteſtate would have been, if living.

XVI. This Act ſhall continue three years, and from thence to the next Seſſion of Parliament.

XVII. Stat. 1 *Jac.* 2. *cap.* 17. Continued for ſeven years from the firſt day of that Seſſion of Parliament, and from thence to the end of the firſt Seſſion of the next Parliament.

Exigent and Utlawry.

I. Stat. 5 *E.* 3. 12. Where the Plaintiff recovers Damages, and the Defendant is thereupon Outlawed, no Pardon ſhall be granted, except the Chancellor be certified that the Plaintiff is ſatisfied his Damages.

II. Where one is Outlawed by Proceſſes before Appearance, no Pardon ſhall be granted, except the Chancellor be certified that the perſon Outlawed hath yielded himſelf to Priſon before the Juſtices of the Place from whence the *Exigent* iſſued.

III. If the Outlawry happen to be before the Juſtices of *Oyer* and *Terminer*, and thoſe Juſtices be riſen before he yield himſelf before them, in that caſe he ſhall do it in the Kings Bench. And then the Record thereof being removed thither by Writ of *Scire facias* ſhall iſſue to the Plaintiff to warn him to appear at a certain day: at which if the Warning be duly executed, and the Plaintiff appear, then ſhall they Plead upon the firſt Original, as though no Outlawry had been; but if he come not, the Outlawed perſon ſhall be delivered by his Charter. And note that all ſuch Charters are of the Kings Grace, as before they have been.

IV. Stat. 5 *E.* 3. 13. If any will defeat an Outlawry by reaſon of Impriſonment, teſtified by the Sheriff or others, having no Record, let the party yield himſelf to Priſon, and then the Juſtices ſhall cauſe the Plaintiff to appear at a certain day, at which day the Averment of ſuch Outlawed perſon ſhall be received; and ſo alſo ſhall the Kings Council or Proſecutor have their Averment againſt ſuch Teſtimony.

V. Stat.

V. Stat. 18 *E.* 3. *Stat.* 1. *Exigents* are to be Awarded againſt Receivers of the Kings Money or Wooll, which detain the ſame, and againſt ſuch as Tranſport Wooll not Cockquetted or Cuſtomed, Confederators and Conſpirators of quarrels, Rioters, and ſuch as bring in falſe Money, if they cannot be found, or brought in by Attachment or Diſtreſs, and not againſt any other.

VI. Stat. 18 *E.* 3. *Stat.* 2. 5. No *Exigent* ſhall go forth againſt one Indicted for Treſpaſs, unleſs it be againſt the Peace, or of the things contained in 18 *E.* 3. *Stat.* 1.

VII. Stat. 6 *H.* 8. 4. In perſonal Actions, if the Defendant is Sued in a County where he dwells not, and an *Exigent* Awarded thereupon, no Outlawry ſhall be had before a Writ of Proclamation be alſo Awarded, and returned by the Sheriff of the County where the Defendant is, or lately was dwelling; and if the Defendant dwell in the place where the Kings Writ runneth not, it ſhall be directed to the Sheriff of the County next adjoyning thereunto.

VIII. By this Writ the Sheriff ſhall make three Proclamations at three ſeveral days, *viz.* twice in full County, and once at the general Seſſions, that the Defendant ſhall yield himſelf unto him, and it ſhall have the ſame day of Return with the *Exigent*.

IX. This Writ ſhall be delivered of Record to the Sheriff or his Deputy, who ſhall duely execute the ſame, in pain of Amerciament; and the Officer that makes the *Exigent* ſhall alſo make the Writ of Proclamation, for which his Fee is 6 *d.*

X. All Outlawries otherwiſe obtained are null, and may be voided by Averment, without Suing of any Writ of Error.

XI. Stat. 1 *E.* 6. 10. The Statute of 6 *H.* 8. 4. ſhall be obſerved in *Wales*, and in the County and City of *Cheſter*, as well as in other parts of the Realm of *England*.

XII. The Sheriffs of *Wales*, and of *Cheſhire* and *Cheſter*, ſhall have Deputies in the Kings Bench and Common Pleas, as other Sheriffs have, and upon like Penalties.

XIII. All Proceſſes againſt any Outlawed perſons in *Wales*, ſhall be directed to the Sheriffs in *Wales*, as immediate Officers to the Kings Bench and Common Pleas, and may be delivered of Record to their ſaid Deputies in Court, and ſhall be duly executed and returned by thoſe Sheriffs upon the pain above limited, who ſhall alſo for a falſe or non-return forfeit 5 *l.* to be divided betwixt the King and the Proſecutor.

XIV. This Act ſhall not infringe any Franchiſes and Liberties in *Wales*, otherwiſe than by the true meaning thereof is provided: Nor yet of any Lord Marcher there, but that they and their Heirs may enjoy the ſame Liberties as before.

XV. Stat. 5 & 6 *E.* 6. 26. The like Statute is made for the County Palatine of *Lancaſter*; ſave only that all Proceſs againſt any Outlawed perſon there ſhall be firſt directed to the Chancellor of that Dutchy, who ſhall thereupon make like Writs and Proceſs to be Sealed with that Seal, and directed to the Sheriff of that

County

County Palatine, as heretofore hath been uſed.

XVI. Stat. 31 *Eliz.* 3. In every Action perſonal where an *Exigent* ſhall be Awarded, a Writ of Proclamation ſhall be alſo Awarded, and iſſue out of the ſame Court, of the ſame *Teſte* and Return with the *Exigent*, and ſhall be delivered of Record, and directed to the Sheriff of the County where the Defendant at the time of the *Exigent* was dwelling, and ſhall contain the effect of the ſame Action.

XVII. The Sheriff ſhall thereupon make three Proclamations, *viz.* one in a full County, another at the Seſſions, and the laſt (one month at leaſt before *Quinto Exact.* by virtue of the *Exigent*) at or near the Church or Chappel-door, of the Pariſh where the Defendant was dwelling at the time of Awarding the ſame *Exigent*, upon a Sunday after Divine Service and Sermon, (or in caſe there be no Sermon) after Divine Service: and if he dwell in no Pariſh, then in the Pariſh next adjoyning to his place of abode: and all Outlawries otherwiſe had ſhall be void.

XVIII. The Officer for making the *Exigent* and Proclamations may take ſuch Fees for the ſame as are limited by the Statute of 6 *H.* 8. 4. And the Sheriff for making the Proclamation at the Church-door, ſhall have 1 *s.*

XIX. In real Actions after Summons upon the Land (14 days at leaſt before the return thereof) Proclamation of the Summons ſhall be made upon a Sunday in form aforeſaid, in the Pariſh where the Land lies, which proclamation ſhall be returned with the Names of the Summoners.

XX. If the Summons be not ſo proclaimed, no *Grand cape* ſhall be Awarded, but an *Alias* and *Pluries* Summons, until a Summons and Proclamation be duly made according to this Act.

XXI. before allowance of a Writ of Error, or reverſing of an Outlawry by Plea or otherwiſe, the Defendant in the Original Action ſhall put in Bail to appear and anſwer the Plaintiff, and alſo to ſatisfie the Condemnation, if the Plaintiff begin his Suit before the end of two Terms next after the allowance of the ſaid Writ, or avoiding the Outlawry.

☞ Extortion.

* I. Weſt. 1. 26. 3 *E.* 1. No Sheriff or other Officer of the King ſhall take any Reward to do his Office, but ſhall be paid by the King: and if he do ſo, he ſhall render the double, and be puniſhed at the Kings will.

II. Weſt. 1. 27. 3 *E.* 1. Clerks ſhall not commit Extortion, in pain to loſe the Service of their Maſter for one year.

III. Weſt. 1. 30. 3 *E.* 1. Officers, Criers of Fee, and Marſhals of Juſtices in *Eyre*, ſhall not commit Extortion, in pain to render the treble, and to be otherwiſe puniſhed at the Kings will.

IV. Stat. 28 *H.* 6. 5. Merchants, being Diſtrained or Arreſted by

by Officers of the Custom for undue Charges and Impositions, may have their general Actions of Trespass against such Offenders, and shall in that case recover 40 *l.* Damages, if they pursue their Actions within two months.

V. If they pursue them not within that time, any other may do it by Action of Trespass also, wherein they shall also recover 40 *l.* Damages, to be divided betwixt the King and such Prosecutor.

Fairs and Markets.

I. THe Statute of *Wincheſter*, *cap.* 6. 13 *E.* 1. Fairs and Markets shall not be kept in Church-yards.

II. Stat. 2 *E.* 3. 15. No person shall keep a Fair longer than he ought to do, in pain to have it seised into the Kings hand until he have made Fine for so doing.

III. Every Lord at the beginning of his Fair shall cry and publish how long it shall endure, in pain to be grievously punished.

IV. Stat. 5 *E.* 3. 5. Merchants after the Fair ended shall close their shops, and sell no Ware thereafter, in pain to forfeit to the King the double value of the Ware so sold, whereof the Prosecutor shall have a fourth part.

V. Stat. 27 *H.* 6. 5. Fairs and Markets shall not be kept upon *Aſcenſion-day*, *Corpus Chriſti*, *Whitſunday*, *Trinity-Sunday*, the Assumption of the Virgin *Mary*, *All Saints*, *Good-Friday*, nor any Sundays, (the Four Sundays in Harvest only excepted) in pain to forfeit the Wares so shewed to the Lord of the Franchise there.

VI. Howbeit they may be kept within three days next before or after the said days, Proclamation thereof being made beforehand, which is to be certified without Fine or Fee to the King. And such as have by special Grant sufficient days before or after the said Feast, may keep their full number.

VII. Stat. 17 *E.* 4. 2. No Steward of a Pipowder Court shall hold Plea upon any Action, unless the Plaintiff or his Attorney, in the presence of the Defendant, do first swear, that the matter of the Declaration was done within the Jurisdiction and time of the Fair. And yet the Defendant may nevertheless profer an Issue against such Oath; and if it be Tried, and the Plaintiff or his Attorney refuse to swear, the Defendant shall be discharged.

VIII. If any such Steward do contrary to this Act, he shall forfeit 5 *l.* to be divided betwixt the King and the Prosecutor.

IX. This Act shall not prejudice the Liberties of the Bishop of *Dureſm.*

X. Stat. 1 *R.* 3. 6. The Statute . is of 17 *E.* 4. 2. made perpetual.

XI. Stat. 3 *H.* 7. 9. Upon an Ordinance made by the City of *London*,

London, to prohibit Citizens to carry their Wares to Fairs and Markets out of the City, this Act gives them Liberty, and makes that Ordinance void; and none ſhall trouble any Citizen for ſo doing, in pain of 40 *l.* to be divided betwixt the King and the Proſecutor.

* XII. Stat. 2 & 3 *P. & M.* 7. Every Owner of a Fair or Market ſhall appoint a Toll-taker, (where Toll is taken) or a Book-keeper, (where no Toll is paid) to ſit there from 10 of the Clock in the Forenoon till Sun-ſet, in pain of 40 *s.* for every Default.

XIII. The Toll-taker or Book-keeper ſhall (within one day after) deliver unto the ſaid Owner a Note of all the Horſes ſold there that day, in pain of 40 *s.* which Note the Owner ſhall ſubſcribe, in like pain of 40 *s.*

XIV. Sale of a ſtoln Horſe in a Fair or Market without Entry in the Book as aforeſaid, and without ſtaying there in open view by the ſpace of an hour at leaſt, betwixt 10 of the Clock and Sun-ſet, ſhall not alter the property of the right Owner, but that he may by virtue of this Act Seiſe or Replevy him whereſoever he finds him.

☞ XV. Juſtices of Peace in Seſſions have power to hear and determine the breach of this Statute; and the Forfeitures ſhall be divided betwixt the King and Queens Majeſties and the Proſecutor.

XVI. Where no Toll is due, the Book-keepers Fee for Entring every Contract, is 1 *d.* and no more.

XVII. Stat. 31 *Eliz.* 12. Every Seller or Exchanger of an Horſe in a Fair or Market, which being unknown to the Toll-taker or Book-keeper, doth not procure one credible perſon, that is well known unto him, to vouch the ſale of the ſame Horſe, alſo every falſe Voucher, and the Toll-taker or Book-keeper that ſuffers ſuch Sale or Exchange to paſs, ſhall forfeit 5 *l.* to be divided betwixt the Queen and the Proſecutor. And beſides, the Sale of ſuch Horſe ſhall be void.

XVIII. The Names of the Buyer, Seller, and Voucher, and the Price of the Horſe, ſhall be Entred in the Toll-Book, and a Note thereof delivered to the Buyer under the Toll-takers or Book-keepers Hand, for which the Buyer ſhall pay 2 *d.*

XIX. Juſtices of Peace in Seſſions have power to Hear and Determine theſe Offences.

XX. Notwithſtanding ſuch Sale and Voucher as aforeſaid, the right Owner or his Executors may redeem a ſtoln Horſe, if they claim him within 6 months after the Selling, at the Pariſh or Corporation where he ſhall find him, and make proof by two ſufficient Witneſſes before the next Juſtice of Peace in the County, or before the Head-Officer of a Corporation, that the Horſe was his, and repay to the Buyer ſuch Price for the Horſe as the ſame buyer ſhall upon his own Oath before ſuch Juſtice or Officer teſtifie to have paid for him.

XXI. An Acceſſary of an Horſe-ſtealer ſhall not have his Clergy.

False Judgment.

I. Marlbr. 20. 52 *H.* 3. None but the King shall hold Plea of false Judgment.

II. Stat. 1 *E.* 3. 4. If against a Record brought into the Kings Court by Writ of false Judgment, the party alledgeth that the Record is otherwise than the Court did Record the same, it shall be Tried by those of the Country who were present when the Record was made; but if they appear not upon the Sheriffs return of them with others, it may be Tried by other good Men of the Country.

Fees.

I. West. 2. 42. 13 *E.* 1. Several ancient Fees of Marshals, Chamberlains, Porters of Justices in *Eyre* and Serjeants bearing Verge before the Justices at *westm.* *See the Statute.*

II. West. 2. 44. 13 *E.* 1. Porters bearing Verge before the Justices of the Bench in the Circuit, shall take for keeping a Jury only 10 *d.* for the Bills, nothing; upon a recovery without a Jury, nothing; upon a recovery against many by one Writ, 4 *d.* For Homage done in the Bench they shall have their upper Garment. Of great Assises, Attaints, Juries, and Battel waged, the Fee is 12 *d.* For the Pleas of the Crown, the Fee is 12 *d.* the dozen. For every Prisoner delivered, 4 *d.* The Chirographers Fee is 4 *s.* The Clerks Fee for writing Originals, is for every Writ 1 *d.* *See the Statute.*

Fee-Farm Rents.

I. Stat. 22 *Car.* 2. *Cap.* 6. Letters Patents to be granted before the 24*th* of *June* 1672. under the Great Seal, the Seal of the Dutchy of *Lancaster*, or of the County Palatine of *Lancaster*, of divers Fee-farm Rents, and other Rents of what kind soever, due to the King in right of his Crown, or in right of his Dutchy of *Lancaster*, or parcel of the Dutchy of *Cornwall* (except Quit-Rents, and Copy-hold Rents standing in charge as belonging to any Mannor, and all Tenths and First-fruits, and Rents *nomine decimæ*, payable by any Ecclesiastical Corporation, and all Rents incident to Reversions now in the King, and all Rents reserved upon Leases, and Farms of the Customs or Excise, made or to be made, and all Rents and Sums due in respect of Fire-hearths and Stoves) shall be good in the Law, for vesting the same in Trustees for the sale thereof, and be construed most beneficially for the Patentees, any misnaming, mis-recital, or non-recital of the Honours, Lands, *&c.* charged, or of any Estate Tail; or of the Reversion thereupon, not true naming of the places where the said Honours, Lands, *&c.* do lie, or lack of the true naming of the Corporation, or lack of Attornment, or any mis-naming or not naming of the Tenants of the

Lands

Lands charged, and other defects or imperfections notwithstanding.

II. The said Trustees, and the Survivor or Survivors of them, shall execute to Purchasers, Indentures of Bargain and Sale, containing a Conveyance of the said Rents, and reciting the Consideration of Money paid, which shall be Enrolled in any of the four Courts at *Westminster* within 6 months after the date thereof.

III. Such Purchasers shall hold the same discharged of any breach of Trust, which may be pretended to be committed by the said Trustees, and may recover the same as the King might, excepting the Prerogative Process out of the Exchequer.

IV. Rents not usually paid by the greater space of 40 years last past, shall not be inserted in such Letters Patents. And Tenants shall hold their Lands discharged of any Rent reserved by vertue of any Patent of Concealment, or Commission of defective Titles, not usually paid by the greater space of 40 years, until the same shall have been recovered by due course of Law.

V. Purchasers of Rents reserved by any Letters Patents of Lands and Tenements, *&c.* and sold after the passing of this Act, shall enjoy them, any cancelling, avoidence or determination of such Letters Patents notwithstanding. This Act shall not be construed to avoid any Covenants or Agreements on the Kings part in the original Reservation of such Rents, nor Decrees in the Court of Augmentation, or Court of Exchequer, before the 23 of *Octob.* 1642. or since 29 of *May* 1660, whereby Fee-Farmers were to be discharged, and allowances out of the said Fee-Farm Rents to be made.

VI. Bodies Politick and Corporate may purchase the said Rents, the Statutes of *Mortmain* notwithstading.

VII. This Act shall nor extend to the Sale of any Rents arising within the Principality of *Wales*.

VIII. Instructions to be observed in the Sale of these Rents, yet so as the non-pursuance of them shall not weaken Purchasers Titles.

1. Contracts for Sales shall be Signed by the Lord Treasurer or Commissioners of the Treasury, or two of them.

2. The Trustees shall convey to such as by Order from the Lord Treasurer, or Commissioners of the Treasury, or two of them; they shall be directed.

3. Every Contracter shall at or before Sealing his Conveyance, pay one moiety at least of his Purchase-money into the Exchequer, and before he receives his Conveyance, give such Security as the Lord Treasurer or Commissioners, *&c.* shall approve, for the other moiety.

4. Such as pay down their whole Money, shall be allowed for present payment of their second moiety, not exceeding 10 *l. per cent.*

5. Immediate Tenants liable to pay any Rent, shall be preferred in the purchase of it before others, so as they tender themselves to the

the Lord Treaſurer or Commiſſioners of the Treaſury, to Contract within 6 months after paſſing the ſaid Patent, and notice thereof publiſhed by Proclamation, and perfect their Contract, and pay or ſecure the Money within 6 months after, at ſuch Rate as ſhall be agreed, not exceeding 20 years purchaſe.

6. The Purchaſer may have his Conveyance in the Names of any perſons he ſhall deſire.

7. If any Rent be charged with any Incumbrance, Conſideration ſhall be had of it, and Reprize allowed, and the Purchaſer ſhall Covenant to take upon him ſuch Incumbrance.

8. The Truſtees ſhall hold the Rents to the Kings uſe till ſale.

9. The Truſtees ſhall Covenant with Purchaſers againſt their own Acts.

IX. Fee-Farmers of Mills formerly belonging to the Crown, or parcel of the Dutchy of *Lancaſter*, ſhall have the Protection and Priviledge of the Courts of Exchequer and Dutchy, and enjoy all former Priviledges and Advantages, notwithſtanding ſuch Sale.

X. So much as is due for any Uſes out of the Premiſes to be ſettled upon Truſtees, ſhall continue to be paid. And the Truſtees are hereby authorized to Convey for performance of ſuch Uſes, ſuch of the ſaid Fee-Farm Rents, *&c.* as ſhall amount to the ſums charged. After which Conveyance the Purchaſers of the reſidue to be diſcharged thereof.

XI. Stat. 22 & 23 *Car.* 2. *cap.* 24. All Fee-Farm Rents, Rents Service, Rents Seck, Chauntry Rents, Guild Rents, Caſtlegard Rents, and others, within the Survey of the Exchequer or Dutchy of *Lancaſter*, due to the King, in Poſſeſſion, Reverſion, or Remainder (other then ſuch as are excepted out of 22 *Car.* 2. *Cap.* 6.) are hereby veſted in *Francis* Lord *Hawley*, Sir *Charles Harbord*, Sir *William Haward*, Sir *John Talbot*, Sir *Robert Steward*, and *William Harbord*, and their Heirs, as fully as if they had been granted to them by Letters Patents by virtue of the ſaid Act, and ſhall be by them Conveyed according to the directions in the ſaid Act mentioned, upon a Particular thereof made by the Auditor, *&c.* before whom they ſtand in charge.

XII. Purchaſers of the ſaid Rents granted by the recited Letters Patents, or intended to be veſted in the ſaid Truſtees by theſe Preſents, ſhall be indempnified from all Incumbrances by the ſaid Truſtees.

XIII. Till Sale of the ſaid Rents, the Receivers of the Kings Revenue ſhall gather the ſame.

XIV. Purchaſers by virtue of this Act, ſhall enjoy all the Advantages allowed to Purchaſers by the former Act, and the ſhewing the Printed Copies of this and the former Act, and of the Conveyance, *&c.* ſhall be Evidence in any Court to Intitle the Purchaſer.

XV. No Tenant in Tail of any the ſaid Rents, ſhall be enabled by this Act to bar the remainder, nor ſhall have greater power over the ſaid Rent than he had before.

XVI. It ſhall be ſufficient for the Purchaſers of ſuch Rents in every Suit, Avowry, Conuſance, or Juſtification, where occaſion ſhall be to ſet forth their Title, to alledge that *Francis* Lord *Hawley*, Sir *Charles Harbord*, &c. were ſeiſed in Fee, and ſo ſeiſed granted the ſame.

XVII. The Truſtees may Convey the ſaid Rents to Purchaſers either by the words expreſſed in the Letters Patents, or by particulars to be made by the Auditors, or by the Original Grants from the Crown, ſaving the Queens Right to the Rents hereby veſted.

Feoffments.

I. Stat. 1 *R.* 2. 9. Every Gift of Feoffment of Lands made by Fraud of Maintenance, ſhall be void, and the Diſſeiſee (notwithſtanding ſuch Alienation) ſhall recover againſt the firſt Diſſeiſor both his Land and double Damages; provided he commence his Suit within a year after the Diſſeiſin, and that ſuch Feoffer be then Pernor of the Profits.

II. Stat. 4 *H.* 4. 7. The Diſſeiſee ſhall have his Action againſt the firſt Diſſeiſor during the life of the ſame Diſſeiſor, ſo as ſuch Diſſeiſor be alſo Pernor of the Profits at the time of ſuch Suit commenced; but as to other Writs in Plea of Land, the Demandant ſhall commence his Suit within the year againſt him that is Tenant of the Free-hold at the time of the Action accrued to him, ſo as ſuch Tenant be alſo Pernor of the Profits at the time of ſuch Suit commenced; notwithſtanding the Stat. of 1 *R.* 2. 9.

III. Stat. 11 *H.* 6. 3. In all Writs grounded upon *Novel Diſſeiſin*, Diſſeiſees may have Recoveries againſt the Diſſeiſors of their Feoffees, as well as in Aſſiſe of *Novel Diſſeiſin*; ſo as ſuch Diſſeiſors or their Feoffees againſt whom the Writ is brought, be Pernors of the Profits at the time of the Writ purchaſed; notwithſtanding any Gifts or Feoffments made to other perſons to delay the Demandants.

Felony.

I. Weſt. 1. 12. 3 *E.* 1. Notorious Felons which refuſe lawful Trial, ſhall ſuffer ſtrong and hard Impriſonment.

II. Stat. Of breaking Priſon, 1 *E.* 2. It ſhall be Felony for any perſon to break Priſon, being in for Felony, otherwiſe nor.

III. Stat. 5 *H.* 4. 4. It is Felony to multiply Gold or Silver.

IV. Stat. 5 *H.* 4. 5. It is Felony maliciouſly to cut out the Tongue, or put out the eyes of any of the Kings Subjects.

V. Stat. 1 *H.* 7. 7. If any ſhall hunt within the Foreſts, Parks or Warrens in the night-time, or diſguiſed, one of the Kings Council, or a Juſtice of Peace to whom Information thereof ſhall be made, ſhall by his Warrant cauſe the Offender to be brought before himſelf, or ſome other Councellor or Juſtice of Peace, to be examined: where if he conceal the Fact, ſuch Hunting ſhall be deemed Felony;

Felony; but being confeſſed, the Offence is only Finable at the next general Seſſions. And here a Reſcous of the Execution of any ſuch Warrant ſhall be alſo deemed Felony.

VI. Stat. 3 *H.* 7. 2. It is Felony to carry away a Woman, Wife, Widow, or Maid, againſt her will, having Lands or Goods, or being Heir apparent to her Anceſtors; and the Proſecutors, Abettors and Receivers in ſuch an Offence, ſhall be alſo deemed principal Felons. Howbeit this ſhall not extend to any that takes a Woman, claiming her as his Ward or Bond-woman.

VII. Stat. 3 *H.* 7. 14. It is Felony for any of the Kings Servants ſworn, to conſpire the deſtroying of the King, any Lord, Privy-Counſeller ſworn, Steward, Treaſurer, or Controller of the Kings Houſhold, being thereof convicted by 12 of the ſaid Houſhold before the ſaid Steward, Treaſurer and Controller, or two of them, who have power to determine the matter according to Law.

VIII. Stat. 21 *H.* 8. 7. Servants that go away with, or otherwiſe imbezzle their Maſters or Miſtreſſes Goods, to the value of 40 *s.* worth, with an intent to ſteal them, (being put in truſt therewith) ſhall be puniſhed as Felons: To continue till the next Parliament. *But ſee the Statute.*

IX. Stat. 22 *H.* 8. 11. It ſhall be Felony to break down *Pow*-Dike in *Marſhland* in *Norfolk*, or *Oldfield*-Dike by *Marſhland* in the Iſle of *Ely*.

X. Juſtices of Peace there have power to hear and determine the ſaid Offences.

XI. Stat. 25 *H.* 8. 6. Buggery is made Felony, and the Offender therein ſhall not have his Clergy.

XII. Juſtices of Peace have power to enquire of, hear and determine this Offence.

XIII. This Statute was but to continue till the next Parliament. *Vide infra.*

XIV. Stat. 1 *E.* 6. 12. Wilful killing by poiſoning ſhall be adjudged of Murther; and their Aiders, Abettors, Procurers and Councellors, ſhall ſuffer death, and forfeit as in caſes of wilful Murther.

XV. All Offences made Felony by Statutes ſince 23 *April* 1 *H.* 8. not being Felony before, are Repealed. *Howbeit divers of them are revived by other Statutes made ſince that time.*

XVI. Stat. 1 *M. Seſſ.* 1. All Offences made Felony, or within the Caſe of *Præmunire*, by any Act ſince the firſt day of 21 *H.* 8. (not being Felony, or within the Caſe of *Præmunire* before) and every Branch of ſuch Acts concerning the making of any Offence Felony, or within the Caſe of *Præmunire*, (not being ſo before) and all pain and Forfeitures concerning the ſame, are Repealed and made void. *But divers of theſe Acts have been ſince revived, which ſee in their proper places.*

XVII. Stat. 5 *Eliz.* 10. The Statute of 21 *H.* 8. 7. is revived and made perpetual.

XVIII. Stat. 5 *Eliz.* 17. The Statute of 25 *H.* 8. 6. is revived and made perpetual,

XIX. Stat. 43 *Eliz.* 13. In the Counties of *Cumberland*, *Northumberland*, *Weſtmorland*, and the Biſhoprick of *Durham*, the carrying away or detaining of any perſon againſt his or her will, the aſſenting or aiding to any ſuch taking or detaining, the receiving or carrying of *Black mail*, the giving of *Black mail* for protection, or the burning of Barns or Sacks of Grain, ſhall be adjudged Felony without Clergy, which the Juſtices of Aſſiſe, Gaol-delivery and Peace have power to hear and determine.

XX. The Names of perſons Outlawed there for Felony ſhall be delivered by the Clerks of the Peace to all Sheriffs, Mayors and other Head Officers, to be proclaimed throughout all the ſaid Counties: and with them none ſhall have converſe, in pain to forfeit 6 months Impriſonment, and not to be enlarged, till Surety be given for the good behaviour during one whole year after ſuch Impriſonment.

XXI Juſtices of Aſſiſe, Gaol-delivery, *Oyer* and *Terminer*, and of Peace, have power to puniſh the negligence of Officers in this behalf.

XXII. This ſhall not Impeach the Authority of the Lord Wardens of the Marches.

XXIII. Stat. 21 *Jac.* 1. 26. It is Felony without benefit of Clergy, to acknowledge, or procure to be acknowledged, any Fine, Recovery, Deed Enrolled, Statute, Recogniſance, Bail or Judgment, in the Name of any perſon not privy or conſenting thereunto: howbeit this Offence ſhall not corrupt the Bloud, nor take away Dower; neither ſhall it extend to Judgment acknowledged by an Attorney of Record for another perſon.

XXIV. Stat. 13 & 14 *Car.* 2 *cap.* 18. Exportation of ſheep, Wooll, &c. made Felony. *Vid. Tit.* Woolls, *Sect. XXXVI.*

XXV. Stat. 22 & 23 *Car.* 2. *cap.* 1. If any on purpoſe and of malice forethought; and by lying in wait, ſhall cut out or diſable the Tongue, put out an eye, ſlit the Noſe, or cut off a Noſe or Lip, or cut off or diſable any Limb or Member of any Subject of his Majeſty, with intention to maim or disfigure him, ſuch perſons, their Counſellers, Aiders and Abettors ſhall ſuffer death as in Caſes of Felony without benefit of Clergy.

XXVI. Provided that no Attainder of ſuch Felony ſhall corrupt the Bloud, or foſeit the Wives Dower.

XXVII. Stat. 22 & 23 *Car.* 2. *cap.* 7. Perſons that ſhall in the night-time malicioufly burn any Ricks or Stacks of Corn, Hay, or Grain, Barns, other Houſes or Buildings, or Kilns, or deſtroy Horſes, Sheep, or other Cattel, ſhall ſuffer as in caſe of Felony. But ſuch Attainder ſhall work no corruption of Bloud, loſs of Dower, or diſinheritance of Heir.

XXVIII. If any perſons Attainted by vertue of this Act ſhall make

make election to be Transported to any of the Kings Plantations, the Justices of Assise, *Oyer* and *Terminer*, &c. before whom they shall be Convict, may cause Judgment to be Entred, that they be Transported to some of the Kings Plantations in such Judgment named, for seven years; and that the Sheriff of the County shall cause them to be imbarqued. Any returning within seven years, shall suffer death, as if no such election had been.

XXIX. If any shall in the night-time maliciously maim, or otherwise hurt any Horses, Sheep, or other Cattel, or destroy any Plantations of Trees, or throw down Inclosures, they shall forfeit to the party grieved, treble the Damage by Action of Trespass, or upon the Case.

XXX. Upon complaint of the parties injured, three or more Justices of Peace, whereof one to be of the *Quorum*, may inquire by the Oaths of 12 Men, examination of Witnesses upon Oath, or any lawful means, concerning such Offences and Offenders therein: and issue Warrants to summon Jurors, and apprehend suspected persons, and cause others that seem likely to make discovery, to appear, and give information upon Oath: so as no person be proceeded against for any Offence concerning which he shall be examined as a Witness, and make discovery: and if any refuse to appear or be examined, the Justices may commit them till they shall submit to be examined.

XXXI. None punished for any Offence by virtue of this Law, shall be punished for the same Offence by any other Law. Nor shall any be questioned, unless within 6 months after the Offence committed.

☞ Fesants and Partridges.

* I. Stat. 11 *H.* 7. 17. None shall take Fesants or Partridges with Engines in anothers Ground without licence, in pain of 10 *l.* to be divided betwixt the Owner of the Ground and the Prosecutor.

II. None shall take out of the Nest any Eggs of Faulcon, Gashawk, Lanner or Swan, in pain of a year and days Imprisonment, and to incur a Fine at the Kings pleasure, to be divided betwixt the King and the Owner of the Ground where the Eggs shall be so taken.

III. None shall bear any Hawk of *English* breed called an Eyes, Goshawk, Tassel, Lanner, Lanneret, or Faulcon, in pain to forfeit the same to the King.

IV. He that brings an Eyes Hawk from beyond the Sea, shall have a Certificate under the Customers Seal where he Lands, or if out of *Scotland*, then under the Seal of the Lord Warden or his Lieutenant, testifying that she is a Foreign Hawk, upon the like pain of forfeiting the Hawk.

V. None ſhall take, kill or fear away any of the Hawks aboveſaid, from the Coverts where they uſe to breed, in pain of 10 *l.* to be recovered before Juſtices of Peace, and divided betwixt the King and the Proſecutor.

* ☞ VI. Stat. 23 *Eliz.* 10. None ſhall kill or take any Feſants or Partridges with any Net or Engine in the night-time, in pain to forfeit for every Feſant 20 *s.* and for every Partridge 10 *s.* which if the Offender pay not within 10 days, he ſhall ſuffer one months Impriſonment without Bail, and enter into Bond (for two years only) with good Sureties before ſome Juſtice of Peace, not to offend in the like kind.

VII. The Forfeiture aforeſaid ſhall be recovered in any Court of Record, and divided betwixt the Lord of the Liberty or Mannor where the Offence is committed, and the Proſecutor: but in caſe the Lord ſhall diſpence with the Offender, the poor of the Pariſh are to have his moiety, to be recovered by any of the Churchwardens.

VIII. None ſhall Hawk or Hunt with his Spaniels in ſtanding Grain, or before it is ſhocked, (except in his own Ground, or with the Owners conſent) in pain to forfeit 40 *s.* to the Owner of the ſame Ground, to be recovered as aforeſaid.

IX. Juſtices of Aſſiſe, Juſtices of Peace in Seſſions and (afterwards) Stewards in Leets have power to hear and determine theſe Offences; and one Juſtice of Peace may examine ſuch an Offender, and bind him over with good Sureties to anſwer it at the next general Seſſions, if the Offence be not before determined at the Aſſiſes or in a Leet.

X. This Act ſhall not reſtrain Fowlers, which unwillingly take Feſants or Partridges, and forthwith let them go at large.

* XI. Stat. 1 *Jac.* 1. 27. Every perſon Convicted by his own Confeſſion, or by two Witneſſes upon Oath, before two or more Juſtices of Peace, to have killed or taken any Feſant, Partridge, Pigeon, Duck, Heron, Hare, or other Game, or to have taken or deſtroyed the Eggs of Feſants, Partridges or Swans, ſhall by the ſaid Juſtices be committed to Priſon without Bail, unleſs he immediately pay to the uſe of the Poor where the Offence was committed, or he apprehended, 20 *s.* for every Fowl, Hare or Egg ſo killed, taken or deſtroyed; ☞ and after one months commitment, ſhall before two or more Juſtices of Peace be bound with two ſufficient Sureties in 20 *l.* apiece, with condition never to offend in the like kind again.

XII. Every perſon Convicted as aboveſaid to keep a Greyhound, Dog or Net, to kill or take Deer, Hare, Feſant or Partridge, (unleſs he have Inheritance of 10 *l. per annum*, a Leaſe for life of 30 *l. per annum*, or be worth 200 *l* in Goods, or otherwiſe be the Son of a Baron or Knight, or Heir apparent of an Eſquire) ſhall ſuffer Impriſonment as aforeſaid, unleſs he pay 40 *s.* to the uſe aboveſaid.

XIII. None

XIII. None ſhall ſell, or buy to ſell again, any Deer, Hare, Feſant, or Partridge, (except Feſants or Partridges by them reared up or brought from beyond Sea) in pain to forfeit for every Deer 40 *s.* Hare 10 *s.* Feſant 20 *s.* and Partridge 10 *s.* to be divided betwixt the Proſecutor and the Poor of the Pariſh where the Offence is committed.

XIV. Juſtices of Aſſiſe, Juſtices of Peace in Seſſions, and two or more Juſtices of Peace out of Seſſions, have power to hear and determine theſe Offences.

XV. None ſhall by any former Law ſuffer puniſhment for the ſame Offences for which he ſhall be puniſhed by this Law.

XVI. This Act ſhall not reſtrain one Licenſed in open Seſſions to kill Hawks-meat; but then he ſhall there become bound by Recogniſance in 20 *l.* not to kill any of the Games prohibited by this Law, nor to ſhoot within 600 paces of an Hearnry, within 100 paces of a Pigeon-houſe, or in a Park, Foreſt or Chaſe, whereof his Maſter is not Owner or Keeper; and the Clerk of the Peace his Fee for ſuch a Licence, is 12 *d.*

* XVII. Stat. 7 *Jac.* 1. 11. Every perſon Convicted by his own Confeſſion, or by two Witneſſes upon Oath, before two or more Juſtices of Peace, to have Hawked at, or deſtroyed any Feſant or Partridge betwixt the firſt of *July* and the laſt of *Auguſt*, ſhall ſuffer one months Impriſonment without Bail, unleſs he forthwith pay to the uſe of the Poor where the Offence was committed, or he apprehended, 40 *s.* for every time ſo Hawking, and 20 *s.* for every Feſant or Partridge ſo deſtroyed or taken.

XVIII. He that ſhall be puniſhed by this Law, ſhall not be puniſhed again by any other Law for the ſame Offence.

XIX. This Offence ſhall be proſecuted within 6 months after it ſhall be committed.

XX. It ſhall be lawful for the Lord of a Mannor, or any having free Warren, Inheritance of 40 *l. per annum*, Freehold of 80 *l. per annum*, or Goods worth 400 *l.* or their Servants, (Licenſed by them) to take Feſants or Partridges within their own Grounds or Precinct; ſo they do it in the day time, and only betwixt *Michaelmas* and *Chriſtmas*.

☞ XXI. If any of a mean condition ſhall be Convicted by his own Confeſſion, or by one Witneſs upon Oath before two or more Juſtices of Peace, to have killed or taken any Feſant or Partridge with Dogs, Nets or Engines, he ſhall by the ſaid Juſtices be committed to Priſon without Bail, unleſs he forthwith pay to the uſe of the Poor where the Offence was committed, 20 *s.* for every Feſant or Partridge ſo killed or taken; and alſo become bound before one or more Juſtices of Peace in a Recogniſance of 20 *l.* never to offend in the like kind again.

XXIII. Every Conſtable or Headborough (upon a Warrant under the Hands of two or more Juſtices of Peace) hath power to

ſearch the Houſes of perſons ſuſpected to have any Setting-Dogs or Nets for the taking of Feſants or Partridges, and the Dogs or Nets there found, to kill and cut in pieces at pleaſure, as things forfeited unto the ſaid Officers.

☞ Fighting and Quarrelling.

* I. Stat. 5 & 6 E. 6. 4. None ſhall uſe any chiding words in the Church or Church-yard, in pain of Suſpenſion for ſo long time as the Ordinary ſhall think fit; *viz.* of a Lay-man, *ab ingreſſu Eccleſiæ*, and of a Clerk, *a Miniſterio Officii.*

II. He that ſhall there ſmite or lay violent hands upon any one, is thereby Excommunicated *ipſo facto.*

III. He that is Convicted of ſtriking with a Weapon there (or of drawing it with an intent to ſtrike) before Juſtices of Aſſiſe, of *Oyer* and *Terminer*, or of Peace in Seſſions, by Verdict, his own Confeſſion, or two lawful Witneſſes, ſhall by Judgment of the ſaid Juſtices have one of his Ears cut off, and in caſe he want Ears, ſhall be burned upon the Cheek with the Letter *F*, and ſhall ſtand Excommunicate *ipſo facto.*

Fines.

I. Stat. *De finibus*, 18 E. 1. *Stat.* 4. After the Writ Original is delivered in the preſence of the parties before the Juſtices, the Pleader ſhall ſay, Sir Juſtice, *Conge de accorder*: then the Juſtice ſhall ſay, What ſaith Sir *R?* And when the Kings Fine is agreed for, and the Peace cried, the Pleader ſhall declare the ſubſtance of the Fine,

II. A final Concord cannot be Levied in the Kings Court without Writ Original before four Juſtices in the Bench, or *Eyre*; and it muſt alſo be in the preſence of the parties, who ought to be of full Age, of good Memory, and out of Priſon: and if a Feme-covert be one, ſhe muſt be examined by four of the ſaid Juſtices; and if ſhe conſent not, the Fine cannot be Levied,

III. The reaſon of ſuch ſolemnity in the taking of a Fine is, becauſe it bars all perſons of full Age, out of Priſon, of good Memory, and within the four Seas, the day of the Fine Levied, if they make not their Claim of their Action within a year and a day by the Country.

IV. Stat. *De finibus levatis*, 27 E. 1. *Stat.* 1. *c.* 1. It ſhall be no good Exception to a Fine, that before or at the time of the Fine Levied the Demandant or his Anceſtors were ſeiſed of the Land contained in the Fine, or ſome part thereof.

V. Fines ſhall be openly read at two certain days in the week by the diſcretion of the Juſtices, and in the mean time all Pleas ſhall ceaſe.

VI. The Statute of *Carliſle*, 15 E. 2. In Pleas of *Warrantia Chartæ*, Cove-

Covenant, or other, whereupon Fines are to be Levied before the Juſtices of the Bench, as well the Demandants as Tenants (before ſuch Fines paſs) ſhall appear perſonally, to the end their Age, Idiocy, and other defects (if any be) may be diſcerned.

VII. If the party be not able to come before the Juſtices in the Court, then two or one of them (by the aſſent of the reſt) ſhall go to the party and receive this Cogniſance: and if but one go, he ſhall take with him an Abbot, Prior, or Knight being of good fame and credit.

VIII. The Commiſſioners that take the Cogniſance ſhall make Certificate thereof to the Juſtices, to the end the Fine may be lawfully Levied according to the former Ordinance.

IX. Neither the Barons of the Exchequer, nor the Juſtices ſhall admit any Attorneys, ſave only in Pleas that paſs before them; neither ſhall any of their Clerks or Servants ſo do; and every Admiſſion otherwiſe ſhall be void.

X. The Authority of the Chancellor and of the Chief Juſtices, for admitting Attorneys, as hath been heretofore obſerved, is ſaved.

XI. Stat. 34 *E.* 3. 16. The Plea of non-claim of Fines ſhall be no bar hereafter.

XII. Stat. 38 *E.* 3. *Stat.* 1. 3. Fines taken before the Juſtices ſhall be in the preſence of the Pledges, who ſhall know the ſum of their Fine before they depart.

XIII. Stat. 5 *H.* 4. 14. To prevent the Damages that may happen by the imbeziling of the Feet and Notes of Fines, all Writs of Covenant, and other Writs whereupon Fines are Levied, together with the *Dedimus poteſtatem*, if any be, and all Knowledges and Notes of the ſame, before they be drawn out of the Common Bench by the Chirographer, ſhall be Recorded in a Roll, to remain with the chief Clerk of that Court, for the old Fee of 22 *d.* uſually paid to him for Entring the Concord, to the end that in caſe any Notes or Fines be imbeziled, the party may have recourſe to the ſaid Roll, to have Execution thereof.

XIV. Stat. 1 *R.* 3. 7. A Fine ſhall after the Ingroſſing thereof be openly read and proclaimed in the Common-Pleas the ſame Term, and the three next Terms after, upon four ſeveral days, and in the mean time all the Pleas ſhall ceaſe.

XV. A Tranſcript of the Fine ſhall be ſent to the Juſtices of Aſſiſe of the County where the Land lieth, to be there alſo proclaimed at every Aſſiſe holden there that year, and then alſo all Pleas ſhall ceaſe.

XVI. Another Tranſcript thereof ſhall be alſo ſent to the Juſtices of Peace of the ſame County, to be in like ſort proclaimed at their four Seſſions holden that year; and both the Juſtices of Aſſiſe and Peace ſhall make Certificate of ſuch Proclamation made the ſecond return of the Term then next following.

XVII. A Fine ſo proclaimed and certified ſhall conclude all perſons, both privy and Strangers, (except Women covert, other than ſuch

ſuch Women as are parties to the Fine, perſons under Age, in Priſon, out of the Realm, or not of ſound Mind) if they purſue not their Right, Title, Claim or Intereſt, by way of Action, or lawful Entry, within five years after the Proclamation ſo made and certified as aforeſaid.

XVIII. The Right of Strangers, which happens to come unto them after the Fine is Ingroſſed, is ſaved, ſo that they lawfully purſue their Right or Title within five years after it ſo comes to them: and here an Action againſt the Pernor of the Profits is maintainable.

XIX. If the parties to whom ſuch Right or Title comes be Covert, under Age, in Priſon, out of the Land, or not of *ſane* Memory, they or their Heirs have time to purſue their Right or Title within five years after ſuch Imperfections removed; ſo alſo have they in caſe they had Right of Title at the time of the Fine Levied.

XX. Fines at the Common Law have the ſame force they had before; and a Fine may be Levied according to this Statute, or the Common Law, at the election of the parties.

XXI. Stat. 4 *H.* 7. 24. Every Fine after the Ingroſſing ſhall be proclaimed in the Court the ſame Term, and the three next, four ſeveral days in every Term, and in the mean time all Pleas ſhall ceaſe.

XXII. The Proclamations being ſo made, the Fine ſhall conclude all perſons, both privies and Strangers, except Women Covert, perſons under Age, in Priſon, out of the Realm, or of *non-ſane* Memory, being not parties to the Fine.

XXIII. The Right and Intereſt that any perſon or perſons (other than parties) hath or have at the time of the Fine Ingroſſed, is ſaved, ſo that they or their Heirs purſue ſuch their Right or Intereſt by Action or lawful Entry within five years after the Proclamations ſo made: ſo alſo is the Right and Intereſt ſaved which accrues after the Ingroſſing of the Fine, ſo that the parties having the ſame, purſue it within five years after it ſo accrues: and in this caſe the Action may be brought againſt the Pernor of the Profits.

XXIV. If at the time of the Fine Ingroſſed, or of ſuch Accruer, as aforeſaid, the perſons be Covert, (and no parties to the Fine) under Age, in Priſon, out of the Realm, or of *none-ſane* Memory, they or their Heirs have time to purſue their Actions within five years after ſuch Imperfection removed.

XXV. The exception, that none of the parties, nor any to their uſe, hard any thing in the Lands at the time of the Fine Levied, is ſaved to all perſons, except parties and privies.

XXVI. Fines at the Common Law have the ſame force they had before the making of this Act: and a Fine may be Levied this way, or at the Common Law, at the pleaſure of the parties.

XXVII. Stat. 32 *H* 8. 36. All Fines Levied by any perſon or perſons of full Age, of Lands Intailed before the ſame Fine, to themſelves, or to any of their Anceſtors, in poſſeſſion, reverſion, remainder

der or uſe, ſhall immediately after the Fine Ingroſſed, and Proclamation made, be a ſufficient bar againſt them and their Heirs claiming only by ſuch Entail, and againſt all other claiming only to their uſe, or to the uſe of any Heir of their Bodies.

XXVIII. Howbeit this Act ſhall not bar the Intereſt of any perſons accrued by any Fine Levied by a Woman after her Huſbands death, contrary to the *Stat.* of 11 *H.* 7. 20.

XXIX. A Fine levied by him who is reſtrained by any expreſs Act of Parliament ſo to do, ſhall be void, notwithſtanding this Act.

XXX. This Act ſhall not extend to any Fine heretofore Levied of Lands now in Suit, or heretofore lawfully recovered in any Court by Judgment or otherwiſe: nor to any Fine of Lands Intailed by the Kings Letters Patents, or any Act of Parliament, the Reverſion thereof at the time of ſuch Fine Levied being in the King.

XXXI. Stat. 37. *H.* 8. 19. Fines Levied before the Juſtices of Aſſiſe at *Lancaſter*, or one of them, and openly read and proclaimed at three ſeveral Seſſions before the ſaid Juſtices, or one of them, of Lands lying within that County Palatine, *viz.* upon three ſeveral days in the Seſſions, when the Fine is Ingroſſed, and three other ſeveral days in each of the two Seſſions then next following, ſhall be of like force as Fines acknowledged before the Juſtices of the Common Pleas.

XXXII. Stat. 2, 3 *E.* 6. 28. This Statute ordains all Fines of Lands within the County Palatine of *Cheſter* to be of like force with thoſe of the Common Pleas, being proclaimed before the High Juſtice there, or his Deputy, in like ſort as thoſe of *Lancaſter* are proclaimed.

XXXIII. Stat. 1 *M. Parl.* 2. 7. All Fines whereupon Proclamations are not duly made (by reaſon of the Adjournment of any Term by Writ) ſhall be good as if that Term had been holden from the beginning to the end, and the Proclamations therein made, according to the Stat. 4 *H.* 7. 34.

XXXIV. This Act ſhall not extend to any Fine heretofore Levied of Lands now in Suit, or heretofore lawfully recovered by Judgment or otherwiſe.

XXXV. Stat. 31 *Eliz.* 2. Fines in the Common Pleas ſhall be proclaimed four times only, *viz.* once in the Term wherein the Fine is Ingroſſed, and once in each of the three Terms then next following.

XXXVI. Stat. 31 *Car.* 2. *cap.* 3. The Chirographer of Fines of the Court of Common Pleas or his Deputy, ſhall before the end of *Trinity* Term next, certifie to that Court a Note of all Fines Entred in his Book, that were burnt in the late Fire in the Temple. A Copy of which Certificate ſhall be ſet up in *weſtminſter Hall*, and remain there four Terms. The Chirographer ſhall alſo make Tranſcripts of the Fines in every County that are miſſing, and deliver them to the reſpective Sheriffs, within a week after next *Trinity* Term, who ſhall ſet them up at the next Summer Aſſiſes.

XXXVII. At

XXXVII. At any time within three years next, the Chief Juſtice of the Court of Common Pleas, with one or more Juſtices of the ſaid Court, may ſend for any Officers, Records or other thing relating to ſuch Fines, and upon Examination ſhall direct the Chirographer to new Ingroſs the Note of and for ſuch Fines; who ſhall bring them Ingroſt to the ſaid Chief Juſtice, and ſuch other Juſtices that ſhall have taken the Examinations concerning them, who ſhall ſubſcribe their Names with theſe words above their Subſcriptions, *Ingroſſ. ſecundum formam Statuti de Anno Triceſimo primo Caroli Secundi Regis*; the Foot of ſuch Fines ſo Ingroſſed with the Proclamations of that and the three ſubſequent Terms, to be Filed by the *Cuſtos Brevium*, and the Notes thereof by the Chirographer among the Fines of the ſame Term.

XXXVIII. Such Fines to be of force as if the Writ of Covenant, Writ of *Dedimus poteſtatem*, if taken by Commiſſion, Concord, Foot and Note of the ſaid Fines had remained unconſumed, and upon any Writ of Error to be brought for the reverſing any ſuch Fine, the *Cuſtos Brevium* and Chirographer, together with the Note and Foot thereof, to certifie the ſaid Subſcription.

XXXIX. No perſon ſhall take any Reward for any thing done in Execution of this Act.

Fines, Amerciaments, Forfeitures.

I. Stat. 22 & 23 *Car.* 2. *cap.* 22. All Fines, Poſt-fines, Iſſues, Amerciaments forfeited, Recogniſances ſums of Money paid, or to be paid in lieu of them or any of them, and all other Forfeitures impoſed or forfeited in the King's Bench, Common Pleas or Exchequer, ſhall be Eſtreated into the Court of Exchequer twice every year; *i. e.* all ariſing from the beginning of *Hillary* Term, to the beginning of *Trinity* Term, ſhall be Eſtreated the laſt day of every *Trinity* Term: and all ariſing from the beginning of every *Trinity* Term, to the beginning of every *Hillary* Term, ſhall be Eſtreated into the Exchequer the laſt day of every *Hillary* Term; on pain that every Officer to whom it appertaineth to make ſuch Eſtreat, making default therein, ſhall forfeit 50 *l.* for every failer: the one moiety to the King, the other to the Proſecutor.

II. This Act ſhall not alter the courſe uſed in certifying and Eſtreating Iſſues from the Court of Common Bench, nor of Fines *pro licentia concordandi*, nor the Termly Eſtreating of Iſſues out of the Office of Pleas in the Exchequer.

III. Fines, Iſſues, Recognizances, and all Forfeitures, impoſed or forfeited by or before any Judge of Aſſize, Clerk of the Market, Commiſſioners of Sewers, ſhall be Eſtreated into the Exchequer twice yearly. *i. e.* all ariſing betwixt *Michaelmas* and *Eaſter*, before the firſt day of *Hillary* Term, on pain that every perſon to whom it belongeth to make ſuch Eſtreats, making default therein, ſhall forfeit 50 *l.* for every failer, one moiety to the King, the other to the Proſecutor.

IV. Clerks

IV. Clerks of the Peace and Town-Clerks ſhall deliver to the Sheriffs within 20 days after the 29th of *September* yearly, a perfect Eſtreat of all Fines, Iſſues, Amerciaments, Recogniſances, ſums of money and other forfeitures, which ſhall have been impoſed or forfeited in any of the Seſſions of the Peace reſpectively: and ſhall yearly, on or before the ſecond *Munday* after the morrow of *All Souls*, deliver into the Exchequer a duplicate of ſuch Eſtreats ſo delivered to the Sheriffs, that the Sheriffs may be charged therewith on their appoſals; on pain to forfeit 50 *l.* for every failer, the one moiety to the King, the other to the Proſecutor.

V. No Officer belonging to the Court of King's Bench, Common Pleas, or Exchequer, nor any Clerk of the Aſſize, Clerk of the Peace, Town Clerk, nor any Officer under them, nor any other, ſhall conceal any Indictment, Fine, Poſt Fine, Iſſue, Amerciament, Recognizance, or other Forfeiture, unleſs by Order of Court; nor ſhall they miſ-certifie any of the ſame; on pain to forfeit the treble value of what they conceal or miſ-certifie, one moiety to the King, the other to the Proſecutor, and alſo on pain to loſe his Office, and be incapable of any Office or Place, where any part of the King's Revenue is managed or paid.

VI. Where any ſums of Money or Forfeitures due to the King, ſhall at any time be paid to any Sheriff or other Officer whatſoever, and be according to the directions of this Act, certified and Eſtreated in, or into the Court of Exchequer, Proceſs of the Green-Wax ſhall be awarded to the reſpective Sheriffs againſt ſuch Officers for Levying the ſame.

VII. Nothing in this Act ſhall prejudice the Rights of any Bodies Politick or Corporate, Lords of Mannors, Liberties or Franchiſes whatſoever, nor the Priviledges of the City of *London*.

VIII. This Act ſhall continue for three years, and from thence until the next Seſſion of Parliament, and no longer. Continued 1 *Jac.* 2. *cap.* 17. for ſeven years, and from thence to the end of the next Seſſion of Parliament.

☞ Fines to the King.

I. Magna Charta 26. 9 *H.* 3. Nothing ſhall be given for a Writ of Inquiſition, nor taken of him that prayeth Inquiſition of Life or Member; but it ſhall be granted freely, and not denied.

Firſt fruits and Tenths.

I. Stat. 26 *H.* 8. 3. The Firſt-fruits and Profits for one year of every Spiritual Living is granted to the King, which every Spiritual perſon ſhall pay or ſecure by Bond before his actual poſſeſſion of his Benefice.

II. Search for the value of the Benefices, and compoſition for the Firſt-fruits thereof, ſhall be made by the Lord Chancellor, Maſter of the

the Rolls, and other Commissioners to be appointed by the King for that purpose; and the Money and Securities taken upon such Compositions made before the Chancellor and Masters of the Rolls only, shall be paid and delivered unto the Clerk of the Hanaper, for which he shall render account, as he useth to do for other Profits of the Great Seal: but being made before other Commissioners, shall be paid and delivered unto the Treasurer of the Kings Chamber, or such other person or persons as the King shall authorize under the Great Seal for that purpose to receive the same.

III. Acquittances for the Receit of any Money paid for First-fruits, under the Hands of the Clerk of the Hanaper, Treasurer of the Kings Chamber, and the Commissioners or any of them, shall be a Discharge for the same in any of the Kings Courts.

IV. An Obligation for First-fruits shall be of like force as a Statute-staple, and no more shall be so taken for such an Obligation than 8 *d.* and 4 *d.* for an Acquittance.

V. The Commissioners shall every six months deliver by Indenture unto the Treasurers, or other person or persons authorised as aforesaid, such Money and Specialties as they shall receive; and in case they do not, or do conceal them, they shall forfeit their Office, and be Fined at the Kings pleasure.

VI. If any be Convicted by Presentment, Verdict, Confession, or Witness, before the Lord Chancellor or other Commissioners, to have entred upon any Spiritual Living before payment or composition made as aforesaid, he shall forfeit the double value of the First-fruits.

VII. All First-fruits heretofore payable to other persons, shall be from henceforth paid to the King.

VIII. Provided, that Bishops may give Institution and Induction, notwithstanding this Act.

IX. A Rent of Pension out of every Spiritual Living amounting to the tenth part of the annual value thereof, shall be yearly paid unto the King at *Christmas*, and the Collector thereof shall pay them in yearly before the first of *April*.

X. The Lord Chancellor shall appoint Commissioners in every Diocess for the discovery of the yearly value of every Spiritual Living there, and to make Certificate thereof, as also of such Deductions as are to be made out of the same; which Commissioners shall be aforehand sworn by *Dedimus potestatem* duly to execute their Commissions.

XI. Every Spiritual person shall be charged for his Tenth in the Diocess where he is, albeit their Possessions lie elsewhere.

XII. Bishops shall be charged with the Collection of all the Tenths within their respective Diocesses, and shall make payment thereof yearly before the first of *April*, unto the Treasurer of the Kings Chamber, or other person authorised to receive the same; and upon non-payment thereof Process shall issue out of the Exchequer against them.

XIII. Bishops

XIII. Biſhops ſhall have power to Levy the Tenths by Cenſures of the Church, Diſtreſs, or otherwiſe; and no Replevin, Prohibition, *Superſedeas*, or other Writ or Impediment, ſhall be allowed to hinder the ſame.

XIV. During the vacation of a Biſhoprick, the Dean and Chapter ſhall be charged therewith.

XV. If Tenths being due, ſhall not be paid within 40 days after demand thereof made by the Biſhop or his Officers, the Incumbent ſo making default, after Certificate thereof into the Exchequer under the Seal of the Biſhop, ſhall be adjudged deprived *ipſo facto*, of all ſuch Benefices as he hath at the time of ſuch Certificate made, or at any time after; and the Benefice or Benefices which he ſo hath, ſhall be adjudged void, as if he were dead.

XVI. The Biſhop making ſuch Certificate, ſhall be diſcharged of ſo much as is certified to be unpaid; for the recovery whereof Proceſs ſhall iſſue out of the Exchequer againſt the Incumbent, his Executors or Adminiſtrators, or (rather than the King ſhall loſe it) againſt his Succeſſor.

XVII. The Acquittances of the Treaſurer of the Kings Chamber, or other Commiſſioners authoriſed to receive the Tenth, and all ſuch Certificates as aforeſaid, ſhall be allowed in all Courts without farther Warrant.

XVIII. No Officer of the Exchequer ſhall take any thing of the Biſhop or his Collector for his Account or *Quietus eſt*, in pain to loſe his Office, and to be Fined at the Kings will.

XIX. They which pay Penſions to others out of their Spiritual Livings, may retain the tenth part thereof, and ſhall be therein protected by Plea upon this Act.

XX. No Penſion ſhall be reſerved upon the reſignation of a Benefice above the value of the third part thereof.

XXI. They who in one Corporation aggregate of many have ſeveral and diſtinct Poſſeſſions belonging to their reſpective Dignities, ſhall only pay for their own Poſſeſſions, and not for thoſe of others.

XXII. No Firſt-fruits ſhall be paid for a Benefice being not above the yearly value of eight Marks, except the Incumbent live three years after his Induction or Collation thereunto: and there ſhall be an Exception inſerted in the Obligation, that in caſe he live not out thoſe three years, the Obligation ſhall be void, but if he outlive them, the Firſt-fruits ſhall be paid by him, his Executors or Adminiſtrators.

XXIII. Fees payable by any Biſhop or other Prelate for Temporal Juſtice, ſhall be defalked out of the valuation of their ſeveral Dignities.

XXIV. Stat. 26 *H.* 8. 17. Farmers of Spiritual perſons ſhall not be compelled to pay Firſt-fruits or Tenths, for their Leſſors.

XXV. Stat. 27 *H.* 8. 8. Every Spiritual perſon at his entry into Specialty for the payment of his Firſt-fruits, ſhall have deduction of

the

the tenth part thereof, in reſpect of the Tenth which ſhall be by him payable that year.

XXVI. Where the laſt Incumbent leaves the Tenth unpaid, the Succeſſor may Diſtrain the ſaid Incumbents Goods found upon the Benefice, and keep them until the Incumbent (if living) or (if dead) his Executors, Adminiſtrators, or other Owner of the ſaid Goods, ſhall ſatisfie the Arrears; which if not done within 12 days, the Goods may be appraiſed upon Oath, and ſold for the ſatisfying thereof, together with reaſonable Coſts; and in caſe there be no Diſtreſs, the Succeſſor may proſecute the Incumbent (if living) or (if dead) his Executors, Adminiſtrators, or other Owner of his Goods, by Bill in Chancery, or Action of Debt, for the recovery of the ſame.

XXVII. Stat. 32 *H.* 8. 22. If a Biſhop or any of his Deputies will make Oath that they cannot Levy a Tenth, they ſhall be diſcharged thereof upon their Account in the Exchequer; which Court ſhall alſo have power to examine the truth thereof by Witneſſes or otherwiſe, and alſo to iſſue out Commiſſions, and to receive Certificates for that purpoſe.

XXVIII. If it be certified into the Exchequer by Commiſſion or otherwiſe, that any Spiritual Promotion is omitted out of the Original Certificate of Tenths, which ought to have been there inſerted; that Court ſhall have power to enter it into the ſaid Original Record, to the end it may from thenceforth be chargeable therewith.

XXIX. Stat. 32 *H.* 8. 47. The Biſhop of *Norwich* and his Succeſſors ſhall Collect the Tenths of all Spiritual Promotions within his Dioceſs, notwithſtanding the Stat. of 27 *H.* 8. (not Printed) which did exempt them from the Collection thereof.

XXX. Stat. 34 & 35 *H.* 8. 17. The Tenths and Penſions reſerved upon the Patents of the five new Biſhops of *Cheſter*, *Gloucester*, *Peterborough*, *Briſtol* and *Oxford*, ſhall be paid in the Court of the Firſt-fruits and Tenths, and not elſewhere. *But note that the Court was afterward annexed to the Exchequer by divers Acts of Parliament; and Patents of H.* 8. *and Queen* Mary. *See* Courts.

XXXI. Stat. 2 & 3 *E.* 6. 20. The Penalty for default of payments of Tenths, ſhall be the forfeiture of that only Benefice out of which the ſame is due, notwithſtanding the Stat. of 26 *H.* 8. 3.

XXXII. Stat. 7 *E.* 6. 4. The Collectors of Tenths ſhall before *Midſummer* next give good Security to ſave the Biſhop harmleſs againſt the King.

XXXIII. The Biſhop ſhall have the laſt day of *May* for the payment of Tenths, and for making Certificates for ſuch as have refuſed to pay them, notwithſtanding the Stat. of 26 *H.* 8. 3.

XXXIV. If a Benefice be void, ſo that no Tenth can be there received, the Biſhop (upon Certificate) ſhall be diſcharged thereof; and then the King ſhall have it Levied upon the Glebe by way of Seiſure.

XXXV. The

XXXV. The Patent of a Collector of Tenths shall be good no longer than during the continuance of the Granter in the See.

XXXVI. Stat. 1. *El.* 4. The First-fruits and Tenths restored to the Crown; the Statutes prescribing the Grant and Order of them re-continued; the Stat. of 2 & 3 *P. & M.* 4. (by which they were taken away) repealed: and they shall from henceforth be within the Survey of the Court of Exchequer.

XXXVII. All Advowsons of Vicarages incident to any of the Queens Impropriations, shall be re-settled in her, notwithstanding any act done by Cardinal *Pool*, or Grant made by Queen *Mary*; saving unto all persons (except such unto whom such Grants have been made) their Right and Interest into, or out of such Impropriations.

XXXVIII. Pensions and all other yearly payments shall be paid as before the Act of 2 & 3. *P. & M.*

XXXIX. All persons in arrear for those Duties, shall not be answerable for them to the Queen.

XL. Vicarages of 10 *l. per annum*, and Parsonages of 10 Marks *per annum*, or under, shall not be chargeable with First-fruits.

XLI. If an Incumbent continue in the Benefice half a year after the last avoidance, and die, or be legally outed before the end of the year, he, his Executors, Administrators or Sureties, shall only pay a fourth part of the First-fruits: if he live out the year, and die, or be outed within six months after the year, only half the First-fruits shall be paid: and if he live out the year and half, and die, or be outed within one year, only the quarter thereof shall be paid.

XLII. Discharge of First-fruits and Tenths heretofore granted by any of the Queens Predecessors to the Universities, or the Colledges in them, or to those of *Eaton* and *Winchester*, shall remain good notwithstanding this Act: also the Dean and Canons of *Windsor*, shall be from henceforth discharged thereof.

XLIII. All Grants of Impropriations belonging to the Archdeaconry of *wells* shall remain good notwithstanding this Act; yet the said Archdeaconry, and all Spiritual Promotions assigned to it, shall from henceforth pay First-fruits and Tenths.

XLIV. All Impropriations, and other Profits or Emoluments Ecclesiastical, which were formerly within the Survey of the Dutchy Court of *Lancaster*, shall be re-continued, notwithstanding this Act, or that of 2 & 3 *P. & M.*

XLV. The Revenues of Hospitals and Schools shall not be charged with the payment of First-fruits or Tenths, notwithstanding this Act.

☞ Fish, Fishers, and Fishing.

* I. West. 2. 47. 13 *E.* 1. None shall take Salmons betwixt the 8th of *September*, and the 11th of *November*, nor young Salmon with Nets or other Engines at Mill-Pools, betwixt the midst of *April*

and the 24th of *June*, in pain of having their Nets and Engines burnt for the first Offence; for the second, to suffer a quarter of a years Imprisonment; for the third, a years Imprisonment, and after to have their punishment increased according to the Trespass. And in places where fresh waters be, Overseers of this Statute shall be assigned and sworn to inquire of the Offenders.

II. Stat. 31 *E.* 3. *Stat.* 2. 1. No Herring shall be bought or sold in the Sea, nor before the Fishers be come into the Haven, and the Cable of the Ship be drawn to the Land.

III. Stat. 31 *E.* 3. *Stat.* 2. 2. The order and time of bringing in and selling of Herrings at the Fair of *Great Yarmouth*, and there the Price of a Last of Herring shall be 40 *s.*

IV. There shall be no foreſtalling of Herrings, but they shall come freely unsold into the Haven.

V. No Piker shall buy any fresh Herring in *Yarmouth* Haven between the Feasts of S. *Mich.* and S. *Martin*, in pain of Imprisonment at the Kings will, and to forfeit the Herring so bought.

VI. No Piker of *London*, or of any other place, shall enter into the Haven there to abate the Fair, in pain to forfeit the Vessel and all the Goods thereof.

VII. The Hostlers there shall be sworn before the Wardens of the Fair to treat their Guests well, and shall have 40 *d.* for every Last sold to others besides themselves, but for those sold to themselves they shall take nothing.

VIII. An hundred of Herring shall be an hundred and twenty, and a Last ten thousand.

IX. Merchants shall sell a thousand of Herrings according to the rate of the Last; and those of *Yarmouth* shall sell a Last of red Herring bought for 40 *s.* for a Noble gain, and those of *London* for a Mark gain, when they bring them thither from *Yarmouth*, and not above.

X. Two Lasts of shotten Herring fresh, shall be equal in Price with one Last of full Herring, and two Lasts of shotten Herring red shall be sold a Mark dearer than a Last of full red.

XI. The Pikers shall buy their Fish at *Kirkley*, or elsewhere upon the Coast, but not to unfurnish the said Fair, for the residue shall be brought to the Fair; and none shall sell Herring within seven miles of *Yarmouth*, but within the three Towns thereof, unless it be Herring of their own Fishing.

XII. The Barons of the five Ports are to have the Government of the Fair: and this Ordinance for buying and selling of Herring shall be observed in all other Towns where Herring is taken and sold.

XIII. Stat. 31 *E.* 3. *Stat.* 2. 3. The Chancellor and Treasurer, taking to them Justices and others of the Kings Council, shall ordain remedy touching the buying and selling of Stock-Fish of *St. Botulph*, Salmon of *Berwick*, Wines and Fish of *Briſtrute* and elsewhere.

* XIV. Stat.

*XIV. Stat. 31 E. 3. Stat. 3. r. Doggers and Land Ships of *Blackney*-Haven and the Coast thereabouts, shall discharge their Fish in the Haven, and not elsewhere, in pain of Imprisonment at the Kings will, and to forfeit their Fish, and it shall be sold on Ship-board.

XV. Stat. 31 E. 3. Stat. 3. 2. The Ordering and prizing of Dogger-Fish and Loch-Fish at *Blackney* Fair in *Norfolk*.

XVI. None but Masters of Ships, and Mariners that exercise Fishing, shall buy Nets or Hooks in *Norfolk* to Fish witha'l.

XVII. Stat. 35 E. 3. All persons may buy Herring in the Fair-time at great *Yarmouth* openly, and not privily.

XVIII. No man shall enter into a Bargain of Herring until the first Chapman hath done with it.

XIX. A Fisher may sell his Herring at any time when he cometh with it.

XX. Stat. 13 R. 2. 19. No Fisher shall use any Engine by which the Fry of Fish may be destroyed, upon the pains mentioned in the Stat. of *West.* 2. 47.

XXI. Salmons in *Lancashire* shall not be taken betwixt *Michaelmas* and *Candlemas*.

XXII. Conservators shall be sworn to see this Stat. observed, and the Offenders punished.

XXIII. Stat. 17 R. 2. 9. Justices of Peace shall be Conservators of the Statutes of *Westminster* 2. 47. & 13 R. 2. 19. and shall have power to search all Wares, lest by their streightness the Fry of Fish may be destroyed.

XXIV. Justices of Peace shall have power to appoint and swear Under-Conservators, to hear and determine in Sessions, Offences of this kind, and to punish the Offenders by Imprisonment and Fine, whereof the Under-Conservator which informs is to have half.

XXV. The Mayor or Warden of *London* hath like power in *Thames*, from *Staines* to *London*, and in *Medway*, as far as the Citizens Grant extends.

*XXVI. Stat. 22 E. 4. 2. None shall sell or set to sale any Salmon by Vessel before it be viewed; unless the Butt contain 84 Gallons, the Barrel 42 Gallons, and the half Barrel 21 Gallons, well Packed, in pain to forfeit for every Vessel 6 s. 8 d. And it shall not be sold or put to sale in any Vessel, unless it be well packed: *viz.* the great Salmon by it self, without mingling any Grills or broken-bellied Salmon therewith; and the small Fish (called Grills) shall be packed by themselves without such mingling: in pain to forfeit for every Vessel otherwise Packed and set to sale, 6 s. 8 d.

XXVII. None shall set any Herring to sale in Vessel, unless the Barrel contain 32 Gallons, and the half Barrel and Firkin accordingly. They shall also be well packed, of one times packing and salting, and as good and as well packed in the midst as at the ends, in pain to forfeit for every Vessel wanting Measure, 3 s. 4 d. and as much for not being packed by this Act.

XXVIII. None shall set to sale any Eels by Vessel, unless the Barrel contain 42 Gallons, and the other lesser Measures accordingly; neither shall any mingle red, gall-beaten, starved or pulled Eels with good Eels, but pack the good Eels by themselves, nor put to sale any red Eels at all, in pain to forfeit for every Vessel wanting Measure, 10 *s.* and as much for every Vessel mixed, packed or set to sale contrary to this Act.

XXIX. None shall set to sale any Barrelled Fish, unless it be well packed, *viz.* the great Fish (called Tail-fish, containing in length from the Bone in the Fin to the third Joynt in the Tail, 26 inches) by themselves, and the lesser Fish (called Grills) by themselves, without mixing Thukes or broken-bellied Fish therewith; neither shall the said Fish be laid double in the packing, nor the Napes thereof longer than the little Bone that resteth upon the great Fin, and the Bone shall be taken away to the Navil of every such Fish, which shall also be splatted within a handful of the Tail, in pain to forfeit for every Barrel of Fish otherwise ordered, 3 *s.* 4 *d.*

XXX. Head-Officers of the Corporations, Burroughs, Market-Towns and other Places, shall appoint discreet persons to search and gauge Vessels of Fish, for the prevention of the aforesaid Deceits.

XXXI. The Forfeitures of this Act shall be divided betwixt the King and the Prosecutor. Howbeit within a Franchise the Lord of the Liberty shall have the Kings part.

XXXII. Stat. 11 *H.* 7. 22. The Stat. of 22 *E.* 4. 2. is Confirmed, and the Gauger, Searcher and Packers Fee appointed: *viz.* for gauging of every Vessel of Fish, a Farthing; for searching and packing (if need be) of a Barrel of Salmon, 1 *d.* for boning, napping and packing a Barrel of Fish (if need be) 1 *d.* for searching and packing a Barrel of Herring, 2 *d.* and as much for Eels; and so ratably for lesser Measures of Herring and Eels.

XXXIII. The Gauger, Searcher or Packer shall take no more, and that only when they execute their Office, in pain to forfeit their Office, and to suffer 40 days Imprisonment without Bail.

XXXIV. Stat. 31 *H.* 8. 2. None shall Fish in any Pond, Stew or Moat in the day-time without the Owners consent, in pain of three months Imprisonment, and to find Sureties for their good behaviour. *But this is altered by* 5 Eliz. 21. *Vide infra.*

* XXXV. Stat. 2 *&* 3 *E.* 6. 6. No Officer of the Admiralty shall take any thing of any person that goes to Trade for Fish into *Iseland*, *New-found-Land*, *Ireland*, or other Places commodious for Fishing, for any Licence to pass, or otherwise in respect of such Voyage, in pain to forfeit for the first Offence treble the sum or value of the Reward so taken, to be divided betwixt the King and the party grieved, or other Prosecutor: and for the second Offence to lose his Office, and to be Fined at the Kings will.

* XXXVI. Stat. 1 *Eliz.* 17. None shall use any Net or Engine to destroy the Spawn or Fry of Fish, or take Salmons or Trouts out

of

of Seaſon, or Pikes ſhorter than 10 inches, Salmons than 16, Trouts than 8, and Barbles than 12; or ſhall uſe any Engine to take Fiſh, other than Angle or Net, or a Tramel of two inches and an half meſh, in pain to forfeit 20 *s.* the Fiſh ſo wrongfully taken, and the Net or Engine wrongfully uſed.

XXXVII. All perſons having Jurisdiction of Conſervancy upon Streams of Waters, and Lords of Leets, have power upon the Oaths of 12 Men to hear and determine theſe Offences, and ſhall have all the Forfeitures which accrue thereupon.

XXXVIII. The Steward of a Leet ſhall give this Statute in charge to the Jury, in pain of 40 *s.* to be divided betwixt the Queen and the Informer.

XXXIX. Here, if the Jury wilfully forbear to preſent Offences of this kind, the Steward or Bailiff ſhall impannel another Jury to inquire of their default, which being found, the firſt Jury ſhall forfeit 20 *s.* apiece.

XL. Upon default of Preſentment in Leets within one year, Juſtices of Peace in Seſſions, Juſtices of *Oyer* and *Terminer*, and Juſtices of Aſſiſe in Circuits, have power to hear and determine the ſaid Offences.

XLI. This Act ſhall not reſtrain the taking of Smelts, Loches, Minews, Bull-heads, Gudgeons or Eels, with Nets or Engines formerly uſed, ſo that no other Fiſh be taken therewith; nor ſhall extend to abridge any former Priviledge of Conſervancy lawfully enjoyed, or Fiſhing in *Tweed*, *uske*, *wye*, or in Waters Let to Farm by the Queen, ſo that the Spawn or Fry of Fiſh be not therein wilfully deſtroyed.

* XLII. Stat. 5 *Eliz.* 21. None ſhall unlawfully break down Fiſh-pond-heads, or Fiſh there without licence of the Owner, or enter into any Charter-Park, Woods or other Grounds, and there kill or chaſe the Deer, or take any Hawks or Hawks Eggs, in pain to ſuffer three months Impriſonment, and to be bound with good Sureties to the good behaviour for ſeven years after.

XLIII. The party grieved ſhall in Seſſions or elſewhere recover treble Damages againſt the Delinquent, and upon ſatisfaction ſhall have liberty to procure his releaſe of the Behaviour.

☞ XLIV. Juſtices of *Oyer* and *Terminer*, Aſſiſe, Peace and Gaol-delivery in Seſſions, have power to hear and Determine thoſe Offences.

XLV. Juſtices of Peace upon the Offenders acknowledgment in Seſſions, and ſatisfaction to the party grieved, ſhall have power to releaſe the Behaviour.

XLVI. Stat. 1 *Jac.* 1. 23. In the Counties of *Somerſet*, *Devon* and *Cornwall*, it ſhall be lawful for Huors of Fiſh to go upon any mans Ground near the Sea-coaſt to diſcover Fiſh, and for Fiſhermen to dry their Seams and Nets there, without danger of committing Treſpaſs.

* XLVII. Stat. 3 *Jac.* 1. 12. None shall erect a Wear or Wears along the Sea-shore, or in any Haven or Creek, or within five miles of the Mouth of any Haven or Creek, or shall willingly destroy the Spawn or Fry of Fish, in pain of 10 *l.* to be divided betwixt the King and the Prosecutor: neither shall any Fish in any of the said places with any Net of a less mesh than three inches and an half betwixt Knot and Knot, (except for the taking Smoulds in *Norfolk* only) or with a Canvas Net or other Engine, whereby the Spawn or Fry of Fish may be destroyed, in pain to forfeit the said Net or Engine, and 10 *s.* in Money, to be divided betwixt the Poor of the Parish and the Prosecutor; and to be Levied in Corporations by the Head-Officers, ☞ and in other places by Distress and Sale of Goods, upon a Warrant of a Justice of Peace, directed unto the Constables and Churchwardens of the same Parish for that purpose.

XLVIII. Stat. 13 & 14 *Car.* 2 *cap.* 28. None from the first of *June* to the last of *November* in any year, shall take Fish with any Drift-Net, Trammel or Stream-Net or Nets, or other Nets of that sort, within one League and a half of the Shore of *Cornwall* or *Devon*, on pain to forfeit the Nets or the value of them, and be one month Imprisoned.

XLIX. If any not being Owners, Partners or Adventurers in the Craft of Fishing, make Pilchards or Fumathoes in Cask to be sold or Transported, except they buy them of the respective Owners, or with their leave, they shall forfeit them or their value, one half to the King, the other to the Informer.

L. Purloyners, Imbezellers, *&c.* of Pilchard-Fish, shall satisfie treble the value, and be sent to the House of Correction for three moths.

LI. Suspicious persons flocking together about the Boats, Nets, and Cellars belonging to the Pilchard-craft upon the Coast of *Cornwall* and *Devon*, being warned to be gone, and refusing, upon complaint to any Justice of Peace, shall pay 5 *s.* to the Poor of the Parish, or be set in the Stocks five hours.

LII. Stat. 15 *Car.* 2. *cap.* 16. No Herring of *English* catching shall be put to sale, but what shall be packed in lawful Vessels, and well laid and packed: and shall be of one time of taking, salting, or drying, and equally packed in every part of the Vessel, and by a sworn Packer: by whom the Vessel shall be marked with a Mark denoting the gage thereof, and the quantity and quality of Herrings, and the place where packed. The Bailiffs of Great *Yarmouth*, and the Head-Officers of every Port, *&c.* where any Vessels go to Fish for Herrings, before the first of *July* in every year shall appoint Packers, and give them an Oath for well executing their Office, on pain to forfeit 100 *l.* half to the King, and half to the Prosecutor.

LIII. No Vessel shall proceed upon a Fishing Voyage from *Island* or *Westmony*, out of any Port, *&c.* till the 10th of *March* in any year, on pain to forfeit such Ship and Fish caught. No person shall Levy or take in *New-found-land* any Duty for any Fish of *English* catching,

catching, on pain to forfeit double the value of what he takes. None shall lay Nets in or near any Harbour in *New-found-land*, to take the Spawn or young Fry of the *Poor-John*, or for any other use, except for taking bait, on pain to lose such Nets and Fish taken, or the value, to be recovered in any of the Kings Courts in *New-found land*, or Courts of Record in *England*.

LIV. None shall destroy or steal any Utensils for Fishing or making Oyl, or other Goods left in any Harbour in *New-found-land* or *Greenland* by *English*: or destroy any House built there by *English* to live in during the Fishing Season, or Stage for ordering of Fish, or making Oyl, on pain to lose double the value, to be recovered in any of the Courts aforesaid.

Vide Tit. Hunters and Hunting, *Sect. XVII.* An Act for preservation of Fishing in the River *Severn*, *v. Severn.*

Flax and Hemp.

I. Stat. 23 *H.* 8 17. None shall water any Hemp or Flax in any River, Running-water, Stream, Brook, or common Pond, where Beasts be used to be watered, but only upon the Ground, in Pits ordained for that purpose, or in their own several Ponds, in pain of 20 *s.* to be divided betwixt the King and the party grieved, or other Prosecutor.

Fools, Lunaticks and Mad-men.

I. Prerog. Reg. 9. 17 *E.* 2. The King shall have the custody of the Lands of natural Fools, taking the Profits thereof without Waste, and finding them Necessaries, of whose Fee soever the Lands be holden; and after the death of such Idiots shall render them to the right Heir; so that the Lands shall not be sold, nor the Heir Disinherited.

II. Prerog. Reg. 10. 17 *E.* 2. The King shall provide that the Lands of Lunaticks be safely kept without Waste, and they and their Families, (if they have any) shall be maintained with the Profits thereof; and that the residue be kept for their use, and be delivered unto them when they come to right mind; so that the Lands shall not be aliened, neither shall the King have any Profits thereof to his own use: but if they die in such estate, the residue shall be distributed for their Souls by the Advice of the Ordinary.

Forcible Entry.

I. Stat. 5 *R.* 2. 7. None shall enter into Lands or Tenements by force, in pain of Imprisonment, and ransom at the Kings pleasure.

II. Stat. 15 *R.* 2. 2. When forcible Entry is made into Land or Church-Livings, one or more Justices of Peace, taking sufficient power, and going to the place so kept by force, may commit the

Offender to the next Gaol, there to remain Convict by the Justices Record, till he have made Fine and Ranſom to the King. And herein the Sheriff and all others ſhall be Aſſiſtants, in pain of Impriſonment and great Fines making.

III. Stat. 8 *H* 6. 9. The *Stat.* of 15 *R.* 2. 2. ſhall be duly put in execution both againſt forcible Entry and forcible Detainer, although it were after peaceable Entry; and all this at the Coſts of the party grieved.

IV. When complaint of any ſuch Entry or Detainer ſhall be made to any Juſtice or Juſtices of Peace, he or they by Precept ſhall command the Sheriff to ſummon ſufficient Jury, and having by them made enquiry of the force committed, ſhall cauſe the Tenements to be ſeiſed, and that as well in the abſence as preſence of the party offending. And here the Alienation of the Tenements (ſo entred into, or detained by force) for maintenance ſhall be adjudged void.

V. If the Jurors make default, Iſſues are to be ſet upon them by the Sheriffs thus; 20 *s.* upon the firſt Precept, 40 *s.* upon the ſecond, 5 *l.* upon the third, and for every Default after, the double.

VI. The Sheriff or Bailiff that ſhall neglect his Duty herein, ſhall forfeit 20 *l.* to be recovered againſt him as well before the Juſtices aforeſaid, as before Juſtices of Aſſiſe, by Indictment or Bill, and to be divided betwixt the King and the Proſecutor.

VII. In an Aſſiſe of *Novel Diſſeiſin*, or Action of Treſpaſs againſt the party guilty of forcible Entry, forcible Detainer and Alienation, as aforeſaid, the party grieved ſhall recover treble Damages.

VIII. Head-Officers and Juſtices of Peace of Corporations have like power with their Franchiſes that other Juſtices of Peace have within Counties.

IX. This Statute ſhall endammage none where peaceable Poſſeſſion hath been enjoyed by the ſpace of three years.

X. Stat. 31 *Eliz.* 11. There ſhall be no Reſtitution upon an Indictment of forcible Entry or Detainer, where the Defendant hath been three years next before in quiet poſſeſſion, and his Eſtate therein not ended.

XI. Stat. 21 *Jac.* 1. 15. Upon Force or Detainer, as aforeſaid, a Juſtice or Juſtices of Peace have power to give Reſtitution of Poſſeſſion as well unto Tenants for years, by *Elegit*, Statute-Merchant or Staple, Copy-holders or Guardians by Knights-ſervice, as unto thoſe that claim Free-hold or Inheritance.

☞ Foreſts, Chaſes, Parks, Warrens.

I. Chart. de Foreſta, *Cap.* 1. 9 *H.* 3. All Foreſts Afforeſted by *H.* 2. ſhall be viewed by lawful Men; and if he hath Afforeſted any other Woods than his own Demeſn, whereby any is prejudiced, they ſhall be diſafforeſted, ſaving Common of Herbage and other things within the Foreſt, to ſuch as have been accuſtomed to enjoy them.

II. *Cap.* 2.

II. *Cap.* 2. None dwelling out of the Forest shall come before the Justices of our Forest by common Summons, unless they be Impleaded there, or be Sureties for others that are Attached for the Forest.

III. *Cap.* 3. All Woods made Forest by *R.* 1. or King *John*, shall be Disafforested, unless they be our Demesne Woods.

IV. *Cap.* 4. All Free-holders having Woods in Forests, shall enjoy them as they did in the Coronation of *H.* 2. acquitted of all Purpresture, Wastes and Asserts made before the second year of the Coronation of *H.* 3. and they that make them henceforward shall be answerable to the King for the same.

V. *Cap.* 5. Rangers of the Forests shall exercise their Offices as was used at the Coronation of *H.* 2. and not otherwise.

VI. *Cap.* 6. Lawing of Dogs shall be made in Forests from three years to three years by the view and testimony of lawful Men, and not otherwise; and he that hath not his Dog Lawed shall be Amerced 3 *s.* also no Ox shall be taken for Lawing of Logs: and it shall be done by the usual Assise, *viz.* that three Claws of the Fore-foot be cut off by the Skin. Howbeit, such Lawing shall not be but where it hath been used from the Coronation of *H.* 2.

VII. *Cap.* 7. No Forester or Beadle shall make Scotal, or gather Garb, Oats, Corn, Lamb or Pig, but by the sight and Oath of the twelve Rangers, when they shall make their Range: And there shall be so many Rangers assigned for the keeping of Forests as shall seem reasonably sufficient for the same.

VIII. *Cap.* 8. There shall be only three Swain-motes in the year, *viz.* one 15 days before *Michaelmas*, another about *Martinmas*, and the third 15 days before *Midsummer*; at the first two of which none shall appear by Distress but the Fosters, Verdors and Gest-takers, and at the others only the Fosters and Verdors: Howbeit, the Fosters and Verdors shall meet every 40 days to see the Attachments of the Forests, as well for Green-hue as Hunting: And the Swain-motes shall not be kept but in the Counties where they have been used to be kept.

IX. *Cap.* 9. Every one having a Wood in the Forest, may Agist it, and take his Pawnage there at his pleasure: he may also drive his Hogs through the Kings Wood or elsewhere for that purpose; and if they lie all night in the Forests, he shall not be questioned for it.

X. *Cap.* 10. None shall lose Life or Member for killing of Deer, but shall be Fined for it, if he have any thing; if not, he shall be Imprisoned a year and a day, and (if he can find good Sureties) shall then be delivered; but if not, he shall abjure the Realm.

XI. *Cap.* 11. A Peer of the Realm, being sent for by the King, in coming and returning may kill a Deer or two in the Forest through which he passeth: Howbeit it must not be done privily, but by the view of the Forester, if present; but if absent, by causing one to blow a Horn for him, lest he seem to steal the Deer.

XII. *Cap.*

XII. *Cap.* 12. Every Free-man may within the Forest (upon his own Ground) make a Mill, Spring, Pool, Marl-pit, Dike, or Arable Ground, without incloſing ſuch Arable, ſo it be not to the Nuſance of any of his neighbours.

XIII. *Cap.* 13. Every Free-man may have his Ayries of Hawks, Eagles and Herons, and alſo Honey found in his Woods within the Foreſt.

XIV. *Cap.* 14. No Chimage or Toll ſhall be taken in Foreſts but by a Foreſter in Fee that Farms his Bailiwick, and only of ſuch as buy their Buſhes, Timber, Bark or Coal to ſell it again, *viz.* 2 *d.* for a Cart, and 1 *d.* for an Horſe, to be taken half-yearly; and it ſhall only be taken where it hath uſed to be taken, and not elſewhere; neither ſhall any Chimage be taken of ſuch as carry Burthens of Buſhes, Bark or Coal, albeit they fell it, unleſs they take them out of the Kings Demeſne Woods.

XV. *Cap.* 15. All perſons Outlawed for Treſpaſs in Foreſts ſince *H.* 3. ſhall be releaſed, finding Sureties to offend no more.

XVI. *Cap.* 16. No Conſtable, Caſtellain or Bailiff ſhall hold Pleas of Foreſts for Green hue or Hunting, but the Foreſter ſhall Attach ſuch Pleas, and preſent them to the Verdors of the Provinces, who ſhall Enroll them, and preſent them incloſed under their Seals unto the Chief Juſtice of the Foreſt, when he comes into thoſe parts to hold Pleas of the Foreſt, to be determined before him.

XVII. Theſe Liberties of the Foreſt the King grants to all men, ſaving to all other perſons the Liberties and free Cuſtoms in Foreſts Warrens and other places, where they have formerly enjoyed.

XVIII. Merton. *Cap.* 11. 20 *H.* 2. The Lords demanded the Impriſonment of Treſpaſſers in their Parks and Ponds, but it was denied by the King, and ſo deferred.

XIX. Weſt. 1. *cap.* 20. 3 *E.* 1. Treſpaſſers in Parks or Ponds ſhall give treble Damages to the party grieved, ſuffer three years Impriſonment, be Fined at the Kings pleaſure, and give Surety never to offend in the like kind again: And if they cannot find Surety, they ſhall abjure the Realm, or being fugitive, ſhall be Outlawed.

XX. Stat. 21 *E.* 1. A Foreſter, Parker or Warrener ſhall not be queſtioned for killing a Treſpaſſer, who (after the Peace cried unto him) will not yield himſelf, ſo it be not done out of ſome other former malice.

XXI. *Ordinatio Foreſtæ*, 33 *E.* 1. *Stat.* 5. Thoſe to whom the King hath granted Purliew (whereby their Woods are Diſafforeſted) ſhall be quit of the charge of the Foreſt, but then they are to have no Common there: howbeit, ſuch as are willing to return their Woods into the Foreſt, ſhall enjoy Common and other Eaſements there as they did before.

XXII. *Ordinatio Foreſtæ*, 34 *E.* 1. *cap.* 1. Preſentment of Treſpaſſes of Green-hue and hunting in Foreſts, ſhall be made at the next Swain-mote by the Foreſters within their ſeveral Bailiwicks, before the Foreſters, Verdors, Regardors, Agiſtors, and other Miniſters

niſters of the Foreſt; and they ſhall be alſo inquired of by the Oaths as well of Knights as other lawful Men (not ſuſpected) of the neareſt Parts where the Treſpaſſes were committed: and the Preſentments ſo inquired of ſhall be ſolemnly Confirmed and Sealed by the Seals of the ſaid Miniſters.

XXIII. *Cap.* 2. If any Officer die, or be otherwiſe hindred, that he cannot Preſent at the Swain-mote, the Juſtice of the Foreſt or his Lieutenant ſhall put another in his Place, that the Indictment may nevertheleſs be made by all, in form aforeſaid: alſo Officers which are to be placed, ſhall be put as hath been uſed; except the Verdors, who ſhall be ordained by Election or Writ.

XXIV. *Cap.* 3. No Miniſter of the Foreſt ſhall be put upon any Aſſiſe, Jury or Enqueſt to be taken without the Foreſt.

XXV. *Cap.* 4. No Officer of the Foreſt ſhall ſurcharge the Foreſt, in pain to be Impriſoned by the Juſtice of the Foreſt or his Lieutenant; and he by whom they were placed ſhall be alſo puniſhed at the Kings pleaſure. At every Swain-mote inquiry ſhall be made of Surchargers, Foreſters, and other Miniſters there, and of oppreſſions done to the People, that reformation may be made.

XXVI. *Cap.* 5. Treſpaſſes committed in Grounds diſafforeſted, ſhall be pardoned, yet ſo as the Hedges and Ditches ſhall be caſt down and removed; ſaving the Kings Arrentations, which ſhall remain according to the Aſſiſe of the Foreſt: alſo the Wood felled in the Foreſt ſhall be carried away, but that ſtanding (though ſold) ſhall be preſerved.

XXVII. *Cap.* 6. The Juſtice or his Lieutenant ſhall take Fines and Amerciaments of Indictees for Treſpaſſes committed there, and ſhall not tarry for the Eyre. Commoners reſtrained from their Commons by the Perambulation ſhall be reſtored to them again; ſaving the Kings Arrentations, as is aforeſaid.

XXVIII. Stat. 1 *E.* 3. *Stat.* 1. *cap.* 8. None ſhall be taken or Impriſoned for Vert or Veniſon, unleſs he be taken with the manner, or elſe Indicted according to the Form of the Statute of 34 *E.* 1. And then the Warden of the Foreſt ſhall let him to Mainprize until the Eyre of the Foreſt, without taking any thing for his deliverance: And if the Warden will not ſo do, he ſhall have a Writ out of the Chancery of old ordained for perſons Indicted, to be Bailed till the Eyre.

XXIX. If the Warden after the Writ ſerved deliver not the perſon Indicted, to Mainprize, the Plaintiff ſhall have a Writ out of the Chancery directed to the Sheriff, to Attach the Warden to anſwer his Default before the King at a certain day; and then the Sheriff (the Verdors being called to him) ſhall deliver the perſon Indicted by good Mainprize in the preſence of the ſaid Verdors, and ſhall deliver the Names of the Main pernors to the ſame Verdors to anſwer in the Eyre before the Juſtices.

XXX. If the chief Warden be thereof Attainted, he ſhall be Awarded to pay treble Damages to the party grieved, committed to Priſon, and ranſomed at the Kings will.

XXXI. Stat.

XXXI. Stat. 1 *E.* 3. *Stat.* 3. *cap.* 1. The great Charter, and alſo that of the Foreſt, are Confirmed.

XXXII. The Perambulations of Foreſts ſhall continue as they were bounded in the time of *E.* 1. and every County ſhall have a Charter thereof; and where they are not bounded, it ſhall be now done, and a Charter thereof ſhall be alſo made accordingly.

XXXIII. Stat. 1 *E.* 3. *Stat.* 2. *cap.* 2. Every Man having Wood within the Foreſt, may take Houſe-boot and Hay-boot in his ſaid Wood, without being Attached for the ſame by the Miniſters of the Foreſt, ſo that it be done by the view of the Foreſters.

XXXIV. Stat. 25 *E.* 3. *Stat.* 5. *cap.* 7. No Foreſter or other Miniſter there, ſhall gather any Victuals or other thing, by colour of his Office, but what is due of old right.

XXXV. Stat. 7 *R.* 2. 3. A Jury for the Trial of a Treſpaſs within a Foreſt, ſhall give up their Verdict where they received their Charge, and ſhall not by Menace or otherwiſe be conſtrained to give their Verdict of a Treſpaſs done in the Foreſt otherwiſe than their Conſcience will clearly inform them.

XXXVI. Stat. 7 *R.* 2. 4. No Officer of the Foreſt ſhall take or Impriſon any without due Indictment, or *per main ouvre*, with his Hand at the Work, (that is, being taken with the manner, or Treſpaſſing in the Foreſt;) nor ſhall conſtrain any to make Obligation of Ranſom againſt his will, and the Aſſiſe of the Foreſt; in pain to pay the party grieved double Damages, and to be Ranſomed at the Kings will.

XXXVII. Stat. 22 *E.* 4. 7. If any having Woods in his own Ground within any Foreſt, Chaſe or Purliew, ſhall cut or cauſe the ſame (or any part thereof) to be cut, by the Kings Licence, (where ſuch Foreſts, Chaſes or Purliew are his,) or without Licence, (where they belong to others,) he may keep them ſeveral and incloſed during ſeven years next after their ſelling.

XXXVIII. Stat. 32 *H.* 8. 35. Every Juſtice of the Kings Foreſts, Chaſes and Parks, by Writing under the Seal of his Office, may make as many Deputies as he pleaſe, which ſhall have like power as the Juſtice himſelf hath.

XXXIX. Stat. 16, 17 *Car.* 1. 16. An Act for the certainty of Foreſts and of the Meers, Limits and Bounds thereof. *See the Statute at large.*

Foreſt.

I. Magna Charta, *cap.* 22. 9 *H.* 3. The King will not hold the Lands of perſons convict of Felony, longer than a year and a day, and then they ſhall be delivered to the Lords of the Fee.

II. Stat. 17 *E.* 2. 14. The King ſhall have the Eſcheats of the Lands of Free-holders of Archbiſhops and Biſhops, which happen in time of Vacation, to diſpoſe of at his pleaſure, the ſaid Free-holders being attainted for Felony; ſaving to ſuch Prelates the Service that thereto is due and accuſtomed.

III.

III. Stat. 17 *E.* 2. 16. The King ſhall have all the Goods of Felons and Fugitives, and the Year, Day and Waſte of their Land, and then the Land ſhall be delivered to the Lord of the Fee, who may alſo (if he pleaſe) compound with the King for the Year, Day and Waſte.

IV. Here certain Lands are excepted, *viz.* 1. In *Glouceſterſhire*, where after the Year and Day the Land ſhall deſcend to the next Heir. 2. In *Kent*, (Lands called *Gavelkind*) where the Father may go to the Bough, and yet the Son to the Plough. And in *Gavelkind* all the Heirs-male ſhall divide the Inheritance, and ſo ſhall the Heirs-female, but Women ſhall not make partition with Men: alſo a Woman ſhall be endowed of the moiety; and if ſhe commit Fornication in her Widowhood, or Marry, ſhe ſhall loſe her Dower.

V. Stat. *De Catallis Felonum.* None taken for Felony, for which he ſhall be Impriſoned, ſhall be Diſſeiſed of his Lands or Chattels until he be Convicted thereof: but as ſoon as he is taken, his Tenements and Chattels ſhall be viewed by the Sheriff and other Officers of the King and lawful Men, and Inventoried, and kept by the Bailiff of him that is ſo taken, who ſhall give Surety to the Juſtices of the Chattels, or the Price; ſaving to the Accuſed and his Family their Neceſſaries as long as he ſhall be Impriſoned, and his reaſonable Eſtover, ſo that when he is Convicted, the reſidue of his Chattels (beſides his Eſtover) may remain to the King, with the Year and Day of his Lands; but if he be acquit, his Chattels ſhall be reſtored. *Vide Raſt. Forfeiture* 7.

VI. Stat. 31 *E.* 3. *Stat.* 1. 3. If any charged with the Goods of Fugitives and Felons, will, in diſcharge of himſelf, alledge another that is chargeable therewith, he ſhall be heard, and right ſhall be done him.

VII. Stat. 34 *E.* 3. 12. There ſhall be no forfeiture of Lands for Treaſon of dead perſons not Attainted in their Lives.

VIII. Stat. 1 *R.* 3. *cap.* 3. None ſhall ſeiſe the Goods of any Arreſted for ſuſpicion of Felony, before he be Convict or Attainted thereof, or the ſame Goods be otherwiſe lawfully forfeited, in pain to forfeit to the party grieved double the value of the Goods ſo taken, to be recovered by Action of Debt, *&c.* wherein no Eſſoin, *&c.* ſhall be allowed.

IX. Stat. 11 *H.* 7. 1. None that Attends upon the King (for the time being) in his perſon, and doth him faithful Service of Allegiance in his Wars within the Realm or without, or is in other Places at his Command, ſhall be Convict or Attainted of High Treaſon, or any other Offence for ſo doing, whereby he may forfeit any thing, but ſhall be clearly diſcharged of all vexation and loſs which he may incur by reaſon of the ſame. And if any Act or Proceſs of Law hereafter happen to be made thereupon, it ſhall be void. Provided, that none ſhall take benefit by this Act, which ſhall hereafter decline from his Allegiance.

X. Stat. 24 *H.* 8. 5. If any be Indicted or Appealed for the

death of one attempting to murther, rob, or commit Burglary, (and so found by Verdict) he shall forfeit no Lands or Goods for the same, but shall be fully acquit and discharged thereof.

☞ Forger of false Deeds.

* I. Stat. 5 *Eliz.* 14. If any alone or with others shall willingly, subtilly and falsly forge or make, or cause to be forged or made, any false Deed, Charter or Writing Sealed, Court-Roll, or Will in Writing, to the intent that the Free-hold or Inheritance of Lands, or the Right or Title thereof, may be troubled, defeated or charged, or shall publish or shew forth in Evidence any such forged Writing as true, knowing the same to be false and forged, and shall be thereof Convicted upon an Action of Forger of false Deeds (to be founded upon this Statute) at the Suit of the party grieved, or otherwise he shall pay to the party grieved double Costs and Damages, to be Assessed in the Court where such Conviction shall be, shall be set upon the Pillory in some Market-Town, or other open Place, and there have both his Ears cut off, and also his Nostrils slit and seared with an hot Iron; he shall also forfeit to the Queen, her Heirs and Successors, the Issues of his Lands, and suffer perpetual Imprisonment during his life: and the said Costs and Damages shall be first Levied upon the Goods and Issues of the Lands of the Offender, notwithstanding the Queens Title thereunto.

II. For such forging, *&c.* of a Lease for years of Lands, (not Copy-hold) or of an Annuity, Obligation, Bill, Acquittance, Release, or other Discharge of any personal thing, the Offender shall pay double Costs to the party grieved, to be Assessed as before, be set upon the Pillory, lose one of his Ears, and suffer a years Imprisonment without Bail.

III. The party grieved may have his remedy for his double Costs and Damages by Original Writ out of the Chancery, as in case of Trespass, by Bill in the Kings Bench, or in the Exchequer, in which Suit no Essoin, *&c.* shall be allowed.

IV. Howbeit, he that is once punished for this Offence, shall not after be Impeached for the same: and albeit the Plaintiffs release or discontinuance of Suit may discharge his own remedy, yet the rest of the punishment shall be nevertheless inflicted by Judgment and Command of the Court.

V. The second Offence is Felony without Clergy, whereof the Offender being Convicted or Attainted, he shall forfeit his Lands and Goods as in other Cases of Felony; saving to all other persons their Right, *&c.* neither shall such Conviction or Attainder extend to loss of Dower, or disherison of Heir.

VI. Provided, this Act shall not extend to charge any Ordinary, Commissary or Official, for putting their Seal of Office to any Will, not knowing the same to be forged, nor for Writing such a Will, or the Probate thereof.

VII. Justices

VII. Juſtices of *Oyer* and *Terminer* and Aſſiſe, in their Seſſions ſhall hear and determine theſe Offences.

VIII. Provided, this Act ſhall not extend to any Proctor, Advocate or Regiſter, for Writing, Setting forth or Pleading of any Proxy for the Apparance of any perſon cited to appear in the Eccleſiaſtical Court, nor to any Archdeacon or Official for putting their Seal to ſuch Proxy, nor to any Eccleſiaſtical Judge for admitting the ſame, nor to any Attorney or Councellor for Pleading or giving in Evidence any ſuch forged Writing, being not party nor privy thereunto, nor to any perſon that ſhall Plead or ſhew forth any Writing Exemplified under the Great Seal, or the Seal of any other Court of this Realm, nor to any Judge, Juſtice, or other perſon that ſhall ſet any ſuch Seal thereunto, not knowing the ſame to be forged.

☞ Foreſtallers, Regrators, Ingroſſers.

* I. Stat. 5, 6 *E.* 6. 14. He or ſhe that ſhall buy or contract for any Merchandiſe, Victual or other thing whatſoever, (in the way) before it ſhall be brought (by Land or by Water) unto any City, Port, Road, Fair or Market, where it ſhould be ſold, or ſhall cauſe the ſame to be ſo bought, or ſhall diſſwade People from bringing any ſuch Commodity to any ſuch Place, (or being brought) ſhall perſwade them to inhance the Price thereof, ſhall be adjudged a Foreſtaller.

II. A Regrator is he that buys any Grain, Wine, Fiſh, Butter, Cheeſe, Candles, Tallow, Sheep, Lambs, Calves, Swine, Pigs, Geeſe, Capons, Hens, Chickens, Pigeons, Conies, or other dead Victual whatſoever, brought to a Fair or Market to be ſold there, and doth ſell the ſame again in the ſame Fair or Market, or in ſome other Fair or Market within four miles.

III. An Ingroſſer is he that gets into his hands by buying, contract or promiſe, (other than by Demiſe, Grant or Leaſe of Land or Tithe) any Corn growing in the Fields, or other Grain, Butter, Cheeſe, Fiſh, or other dead Victual whatſoever, with intent to ſell it again.

IV. The party guilty of any of the Offences aforeſaid, ſhall forfeit for the firſt Offence the value of the Goods ſo bought or had, and ſuffer two months Impriſonment without Bail; for the ſecond, the double value, and ſuffer ſix months Impriſonment without Bail; and for the third, ſhall forfeit all his Goods, be ſet upon the Pillory, and be Impriſoned at the Kings pleaſure.

V. This Act ſhall not reſtrain the buying of Barley or Oats to be converted into Malt or Oatmeal; nor the Proviſion of any Town-Corporate, Ship, Caſtle, Fort, *Berwick*, *Holy Iſland*, *&c.* or any Fiſhmonger, Inholder, Victualler, Butcher, Poulterer, or People dwelling within one mile of the main Sea, which uſe to buy and ſell Fiſh, for any thing concerning their ſeveral Myſteries or Tradings,

dings, they retailing the ſame at reaſonable Prices; nor any Badger, Lader, Kidder or Carrier, aſſigned to that Office by three Juſtices of Peace, and delivering the Commodity out of his hand within one month after he buys it; not the taking of any thing reſerved upon any Leaſe: ſo that all theſe things be done without fraud or foreſtalling.

VI. He that buyeth Grain in any Market for change of ſeed, ſhall bring as much the ſame day, and ſell it, if he can, according to the preſent Price of Grain there, in pain to forfeit double the value of the Grain ſo bought.

VII. He that buys any Cattel, and ſells the ſame again alive within five weeks, ſhall forfeit double the value thereof; during which time he ought to keep them upon Paſture, which he hath either by Grant or Preſcription.

VIII. Juſtices of Peace in Seſſions have power to hear and determine the aforeſaid Offences by Inquiſition, Preſentment, Bill or Information, or by the Teſtimony of two Witneſſes, and to exact the one half of the Forfeitures to the uſe of the King, and cauſe the other half to be Levied to the uſe of the Proſecutor by *Fieri facias* or *Capias*; and when the Proſecution ſhall be at the Kings Suit only, to exact the whole to the Kings uſe.

IX. None ſhall be puniſhed twice for the ſame Offence.

X. This Act ſhall not reſtrain the Tranſporter of Grain or Cattel from Port to Port, (allowed by three Juſtices of Peace, and not foreſtalling) ſo that he Imbark the ſame within fourty days after he buys them, and bring back from ſome Juſtice of Peace or Head-Officer a Certificate of their unlading agreeable to his Cocquet.

XI. The Offences againſt this Statute ſhall be proſecuted within two years.

XII. This Act ſhall not reſtrain a Drover allowed by three Juſtices of Peace, (1. *Quor.*) and ſelling his Cattel at fourty miles diſtance from the Place where he bought them. Howbeit ſuch allowance ought not to continue above one year.

XIII. Stat. 13 *Eliz. cap.* 25. *in fine.* The Statute of 5 & 6 E. 6. 14. ſhall not extend to Wines, Oyls, Sugars, Spices, Currants, or other Foreign Victual brought from beyond Sea, Fiſh and Salt only excepted.

XIV. *For more ancient Statutes againſt Foreſtalling, ſee the Statute of Foreſtallers,* 31 E. 1. *and the Statute of Cloths,* 25 E. 3. 3. *which becauſe they are altered by* 5 & 6 Ed. 6. 14. *I have not thought them fit to be inſerted.*

Franchiſes and Liberties.

I. Magna Charta, *cap.* 1. 9 *H.* 3. The Church of *England* ſhall be free, and ſhall have all her holy Rights and Liberties inviolable.

II. Magna Charta, *cap.* 9. 9 *H.* 3. The City of *London*, and all other Cities, Boroughs, Towns, the Barons of the five Ports, and all other Ports, ſhall have all their old Liberties and free Cuſtoms.

III. Magna Charta, *cap.* 37. 9 *H.* 3. All free and ancient Liberties and Cuſtoms of all perſons, as well Spiritual as Temporal, are reſerved, which the King himſelf promiſeth to obſerve, and commandeth all Men of this Realm to do the like. He likewiſe farther promiſeth, that neither he nor his Heirs ſhall procure or do any thing to infringe them; and that if any thing be ſo procured, it ſhall be void.

IV. Stat. *De quo Warranto*, 18 *E.* 1. If any can verifie by good Enqueſt or otherwiſe, that they or their Anceſtors or Predeceſſors have uſed any Liberty, whereof they have been Impleaded by *Quo warranto* before the death of *R.* 1. and have hitherto, (not having abuſed ſuch Liberty,) they ſhall be adjourned to a reaſonable day before the Juſtices, within which time they may repair to the King with the Record thereof Signed by the Juſtices Seal, which done, the King will Confirm their Eſtate: and if any Judgments have been given upon ſuch Writs by the Juſtices at *weſtminſter*, upon the complaint of the party grieved, to the King, he will give them remedy.

V. All Pleas of *Quo warranto* ſhall be from henceforth Pleaded and Determined in the Circuit of the Juſtices, and all Pleas now depending ſhall be adjourned into their proper Counties, until the coming of the Juſtices into thoſe Parts. *Note, That this Statute was Confirmed by another Statute* De quo Warranto, *of the ſame Year, and to the ſame effect.*

VI. Stat. *De quo warranto*, 30 *E.* 1. The Form of a Writ to be directed to the Sheriff, to permit all Men to enjoy all ſuch Liberties as they had before; and of a Proclamation, that ſuch as claim Liberties ſhall ſhew to the Juſtices (at the firſt Aſſiſes when they ſhall come into thoſe Parts) how they hold them; for which they ſhall have fourty days Summons: and if they appear not, their Liberties ſhall be ſeiſed in the name of Diſtreſs. Alſo the Form of another Proclamation, that ſuch as complain of the Kings Officers ſhall ſhew their Grievances to the ſaid Juſtices.

VII. Stat. *De Tallagio non concedendo, tempore* E. 1. *cap.* 4. All perſons ſhall have their Laws, Liberties and free Cuſtoms as largely as they have uſed to have them when they had them beſt: And if any Statutes or Cuſtoms have been made or brought in by us or our Predeceſſors, or if any Article contained in this Charter be found contrary thereunto, they ſhall be void.

VIII. Stat. 1 *E.* 3. *Stat.* 2. 9. All Cities, Boroughs and Fran-

chiſed Towns ſhall enjoy all their Franchiſes, Cuſtoms and Uſages, as they ought and were wont to do.

IX. Stat. 14 *E.* 3. *Stat.* 1. *cap.* 1. Holy Church ſhall have her Liberties in quietneſs: The great Charter and that of the Foreſt, ſhall be holden in all Points: And the City of *London*, and all other Cities and Boroughs, ſhall enjoy all their Franchiſes and Cuſtoms which they have reaſonably had and uſed in times paſt.

X. Stat. 25 *E.* 3. *Stat.* 3. 1. All Priviledges and Franchiſes heretofore granted to the Clergy are Confirmed, and ſhall be holden in all Points.

XI. Stat. 6 *R.* 2. *Stat.* 1. 1. The Church of *England* ſhall have all her Liberties whole and unhurt, and the ſame ſhall fully enjoy and uſe.

XII. Stat. 7. *R.* 2. 1. Holy Church ſhall enjoy all their Liberties and Franchiſes, as ſhe had them in the time of the Kings Progenitors. The like is granted in 2 *R.* 2. 1. 3 *R.* 2. 1. 5 *R.* 2. 1. 12 *R.* 2. 1 *&* 1 *H.* 4. 1.

XIII. Stat. 2 *H.* 4. 1. The Church ſhall have her Rights and Liberties. All Lords Spiritual and Temporal, Cities, Boroughs and Towns Enfranchiſed, ſhall enjoy their Liberties and Franchiſes, which they have lawfully uſed, or have had by the Grant of the Kings Predeceſſors, Kings of *England*. *Vide* 9 H. 4. 1. 13 H. 4. 1. 3 H. 5. 1. *&* 2 H. 6. 1. *which are in effect the ſame, ſave that they except ſuch Franchiſes as are Repealed or Repealable by the Common Law.*

XIV. Stat. 27 *H.* 8. 24. None but the King ſhall have power to pardon Treaſon or Felony, or ſuch as are acceſſary to, or outlawed for the ſame, notwithſtanding any Grant, Uſage, Preſcription, Act, or other thing, to the contrary.

XV. None ſhall make Juſtices in Eyre, of Aſſiſe, Peace, or Gaol-delivery, but only the King, and that by his Letters Patents under the Great Seal, and notwithſtanding any Grant, *&c.*

XVI. All Writs, Indictments and Proceſſes in every County Palatine, or other Liberty, ſhall be made in the Kings Name, *Teſte* the Owner of ſuch County Palatine or Liberty: and here, in every ſuch Writ and Indictment of any Offence againſt the Peace, it ſhall be ſuppoſed to be done againſt the Kings Peace, and not againſt the Peace of any other perſon, notwithſtanding any Grant, *&c.*

XVII. Provided, That Juſtices of Aſſiſe, Gaol-delivery and Peace, in the County Palatine of *Lancaſter*, ſhall be ſo made under the Kings uſual Seal of *Lancaſter*, notwithſtanding any Act.

XVIII. Provided alſo, That Corporations which have power to have Juſtices of Peace and Gaol-delivery, may have them ſtill, notwithſtanding this Act.

XIX. Stewards, Bailiffs, and other Miniſters of Liberties, ſhall attend the Juſtices of Aſſiſe and Gaol-delivery and Peace, and make due execution of Proceſſes to them directed, within their Liberties: and the Bailiffs there, or their Deputies, ſhall alſo attend and aſſiſt the Sheriff at the Gaol delivery, for Execution of Priſoners.

XX. Pro-

XX. Provided, That the laſt Clauſe ſhall not be prejudicial to any Stewards or Bailiffs of Corporations, which are not compellable to attend or appear out of their Corporations.

XXI. The King ſhall have the Fines, Iſſues, Amerciaments and Forfeitures which ſhall be ſet upon, or loſt by Stewards, Bailiffs, or other Miniſters of Liberties, notwithſtanding any Grant, *&c.* And Amerciaments for inſufficient Returns made by ſuch Stewards or Bailiffs, ſhall be ſet upon their Heads, and not upon the Sheriffs.

XXII. Purveyors may take Proviſion within Liberties, notwithſtanding any Grant, *&c.* provided ſuch Purveyors obſerve the Statutes made for them in that behalf.

XXIII. The Kings Officers may keep their Courts within the Verge, and his Clerk of the Market only, ſhall execute his Office there, notwithſtanding any Liberty but *London.*

XXIV. All Statutes made againſt Sheriffs, Under-Sheriffs, Bailiffs, or other Miniſters, for any Miſdemeanour concerning their Offices, ſhall extend to Stewards, Bailiffs, and other Miniſters of Liberties.

XXV. Stewards and Bailiffs of Liberties, and their Deputies and Clerks, may execute their Office above a year, notwithſtanding this laſt Clauſe.

XXVI. All ſuch Juſtices to be made as is afore rehearſed in this Act, ſhall have power to hold their Seſſions of Peace, and to deliver the Gaols within their Liberties, and to execute all other things within the ſame, in as ample manner as other Juſtices of Peace and Gaol-delivery do in any Shire, notwithſtanding any Act, Grant, *&c.*

XXVII. The new Juſtices now to be made by the King within Liberties, ſhall ſit where ſuch Juſtices have commonly uſed to ſit before; and none within the ſaid Liberties ſhall be compellable to appear before any other Juſtices of the ſame Liberties.

XXVIII. Sir *Thomas Engleſield*, now Juſtice of *Cheſter* and *Flint*, ſhall not be prejudiced by this Act.

XXIX. This Act ſhall not be prejudicial to Corporations, but they ſhall enjoy ſuch Liberties, Fines, Iſſues, Amerciaments and Forfeitures, as they did before the making thereof.

XXX. The Biſhop of *Ely*, and his Steward for the time being, ſhall be Juſtice of Peace within the ſame Iſle, notwithſtanding this Act; ſo alſo ſhall the Biſhop of *Durham* and his Chancellor in that County Palatine, and the Biſhop of *York* and his Chancellor in *Hexam* within that Precinct.

XXXI. Stat. 32 *H.* 8. 20. The ſame Franchiſes that the late Owners of Religious Houſes had within three months before their Diſſolutions, ſhall be revived, and be actually in the King, and in the Survey of the Court of Augmentations; and the Stewards, Bailiffs and Miniſters thereof ſhall Accompt there, as other Officers Accomptants of the King in that Court have done.

XXXII. The Franchiſes of the late Religious Houſes which

have come to the Kings hand by Attainder, ſhall be in the order of the Court of general Surveyors; and the Stewards, Bailiffs and other Miniſters thereof, ſhall Accompt there, as other Officers Accomptants of the King in that Court have done.

XXXIII. The ſaid Stewards and other Officers ſhall be attendant and obedient in all other the Kings Courts, as the Officers of the ſaid late Owners were: and no Sheriff or other foreign Officers ſhall intromit into their Liberties in any other manner than they lawfully might have done before the ſaid Franchiſes came into the Kings poſſeſſion.

XXXIV. Every perſon may uſe all ſuch Liberties as he hath by the Kings Grant or otherwiſe, notwithſtanding this Act: alſo the Offices, Fees, Annuities and Profits of all perſons out of any of the Lands of the ſaid Religious Houſes are ſaved.

XXXV. Fines may be Levied in the Court of Augmentations of Lands within that Survey, to the Kings uſe, without Fee, and the Juſtices of the Common-Pleas ſhall receive and allow the ſame: alſo all Deeds and Obligations made to the Kings uſe, which concern the ſaid Lands, may be there Enrolled without Fee.

XXXVI. Provided, That the Kings Officers may keep Court within the Verge, and his Clerk of the Market, and none other, execute his Office there, notwithſtanding any Grant, *&c.* Neither ſhall this Act be prejudicial to the City of *London*.

XXXVII. The Lands of the late Monaſtery of *Furnes*, and of the late Monaſteries and Priories of *Cartmole*, *Coningſhed*, *Burſtrough*, and *Holland*, and the Liberties and Franchiſes belonging thereunto, ſhall be in the Government of the Officers of the Dutchy of *Lancaſter*: and the Officers of thoſe Liberties ſhall be liable to Accompt as other Officers of the Dutchy have uſed to be: they ſhall alſo be Attendant on the Kings Courts; and the Sheriff and other Officers are prohibited to intromit into thoſe Liberties.

XXXVIII. This Act ſhall not annul or diminiſh any of the Liberties belonging to the ſaid Dutchy, or to the five Ports, or the Members thereof.

XXXIX. The Petition of Right, 3 *Car. c.* 1. None ſhall be compelled to make or yield any Gift, Loan, Benevolence, Tax, or ſuch like Charge, without Conſent by Act of Parliament, nor upon refuſal ſo to do ſhall be called to make Anſwer, take any Oath not warranted by Law, give Attendance, or be Confined, or otherwiſe Moleſted concerning the ſame, or for refuſal thereof: Neither ſhall any Free-man be Impriſoned or detained without cauſe ſhewed.

XL. The Subject ſhall not be burthened by the Quarter of Souldiers or Mariners: and all Commiſſions for proceeding by Martial Law ſhall be annulled, neither ſhall any of like nature be iſſued out hereafter, leſt the Subject (by colour thereof) be deſtroyed or put to death, contrary to the Laws and Franchiſes of the Land.

XLI. What hath been done to the prejudice of the Subject in any of the Premiſſes, ſhall not hereafter be drawn into conſequence of

of Example: and the King declares his Pleasure to be, That in the things aforesaid, all his Officers and Ministers shall Serve him according to the Laws and Statutes of the Realm.

Frauds and Fraudulent Conveyances.

I. Stat. 50 *E.* 3. 6. Fraudulent Assurance of Lands or Goods to deceive Creditors, shall be void, and the Creditors shall have Execution thereof as if no such Gift had been made.

* II. Stat. 13 *Eliz.* 5. All fraudulent Conveyances of Lands, Tenements, Hereditaments, Goods or Chattels, and all such Bonds, Suits, Judgments and Executions made to avoid the Debt or Duty of others, shall (as against the party only whose Debt or Duty is so endeavoured to be avoided, their Heirs, Successors, Executors or Assigns) be utterly void, any Pretence, feigned Consideration, or, *&c.* notwithstanding.

III. Every of the parties to such a fraudulent Conveyance, Bond, Suit, Judgment or Execution, who being privy thereunto, shall wittingly justifie the same to be done *bona fide*, and upon good Consideration, or shall Alien and Assign any Lands, Lease or Goods so to them Conveyed, as aforesaid, shall forfeit one years value of the Lands, Lease, Rent, Common, or other Profit out of the same, and the whole value of the Goods, and also so much Money as shall be contained in such covinous Bond; and, being thereof Convicted, shall suffer half a years Imprisonment without Bail. And here the said Forfeitures are to be divided betwixt the Queen and the party grieved.

IV. Common Recoveries against the Tenants of the Free-hold shall be good notwithstanding this Act: and so shall all Estates made for the procuring of a Voucher in *Formedon*. Neither shall this Act extend to Grants made *bona fide*, and upon good Consideration, to persons not privy to such Collusion.

V. Stat. 27 *Eliz.* 4. Every Conveyance, Grant, Charge, Incumbrance, and Limitation of Use or Uses, of, in, or out of any Lands or other Hereditaments, made to defraud any Purchaser of the same in Fee, in Tail, for Life or Years, shall (as against such Purchaser only, and every other person lawfully claiming from, by, or under him) be utterly void, the said Purchaser having obtained the same for Money, or some other good Consideration.

VI. Every of the parties to such fraudulent Conveyances, or being privy thereunto, who shall justifie the same to be made *bona fide* and on good Consideration, to the disturbance or hinderance of the Purchaser, or of any other lawfully claiming from, by, or under him, shall forfeit one years value of the Lands or other Hereditaments so purchased or charged, to be divided betwixt the Queen and the party grieved; and, being thereof Convicted, shall suffer half a years Imprisonment without Bail.

VII. Conveyances made upon good Conſideration and *bona fide* ſhall be good, notwithſtanding this Act.

VIII. If Lands be firſt Conveyed with Clauſe, Proviſion, or Condition of Revocation, Determination or Alteration, and afterwards ſold or changed for Money or other good Conſideration, before the firſt Conveyance was revoked, altered or made void, according to the power given thereby; in this caſe ſuch firſt Conveyances ſhall be void againſt the Vendee, and all others lawfully claiming from, by or under him. Howbeit no lawful Mortgage, made *bona fide* without fraud, ſhall be Impeached by this Act.

IX. All Statutes Merchant and of the Staple, ſhall within ſix months after their Acknowledgment be Entred in the Office of the Clerk of Recogniſances taken according to the Statute of 23 *H.* 8. 6. and the Clerk there (upon ſhewing the ſame) ſhall make Entry thereof, for which he ſhall have 8 *d.* and no more.

X. Every ſuch Statute, which is not within four months after the Acknowledgment thereof delivered to be Entred accordingly, ſhall be void againſt the Purchaſer of the Lands chargeable therewith, and againſt his Heirs, Succeſſors, Executors and Aſſigns.

XI. The ſaid Clerk ſhall within the ſaid ſix months make Entry of every Statute to him delivered, as aforeſaid, and ſhall Indorſe thereupon the Day and Year of ſuch his Entry, with his own Name in pain to forfeit for every Statute ſo brought unto him, and not Entred as aforeſaid, 20 *l.* to be divided betwixt the Queen and the Proſecutor.

XII. The Clerk ſhall take for the ſearch of a Statute but 2 *d.* for every years ſearch, in pain to forfeit to the Party grieved twenty times ſo much as he takes above, to be recovered in any Court of Record by Action of Debt, *&c.*

XIII. Provided, That this Act ſhall not extend to make good any Purchaſe made void by reaſon of any former Conveyance, ſo as the party ſo making void the ſame, his Heirs or Aſſigns, were the firſt day of this Parliament in actual poſſeſſion of the Lands out of which any ſuch Purchaſe, Leaſe, Charge or Profit was made.

XIV. Star. 29 *Car.* 2. *cap.* 3. For prevention of fraudulent Practices endeavoured to be upheld by Perjury, be it Enacted, That all Leaſes, Eſtates, Intereſts of Free-hold or Terms of years, or any uncertain Intereſts in or out of any Lands, Tenements or Hereditaments not put in Writing, and Signed by the parties making them, or their Agents authoriſed by Writing, ſhall have no greater effect than as Eſtates at will, except Leaſes not exceeding three years, whereof the Rent ſhall be two Thirds of the full value.

XV. No ſuch Eſtates or Intereſts, not being Copy-hold or cuſtomary Intereſt, ſhall be aſſigned, Granted or Surrendred, unleſs by Deed in Writing, Signed *ut ſupra*, or by operation of Law.

XVI. No Action ſhall be brought after the 24*th* of *June*, to charge an Executor on a ſpecial Promiſe to anſwer Damages out of his own Eſtate, or to charge the Defendant upon any Promiſe to anſwer for

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the Debt or Miſcarriage of another, or upon an Agreement on conſideration of Marriage, or on any Contract or Sale of Lands, Tenements or Hereditaments, or any Intereſt concerning them, or on any Agreement not to be performed within a year after the making, unleſs ſuch Agreement, or ſome Note thereof, be in Writing, and Signed by the party to be charged, or ſome other by him authoriſed.

XVII. All Deviſes of Lands or Tenements ſhall be in Writing, and Signed by the Party Deviſing, or ſome other in his preſence, and by his direction, and Subſcribed in his preſence by three or four Witneſſes, or elſe ſhall be void.

XVIII. No ſuch Deviſe in Writing ſhall be revocable otherwiſe than by Writing, or by burning, tearing or cancelling the ſame by the Teſtator, or in his preſence, and by his conſent.

XIX. All Declarations or Creations of Truſts, ſhall be manifeſted by ſome Writing Signed by the party, or by his laſt Will in Writing, or elſe ſhall be void.

XX. Truſts reſulting by Implication of Law, or transferred or extinguiſhed by act of Law, ſhall be as if this Statute had not been made.

XXI. Aſſignments of Truſts ſhall be in Writing Signed by the party Aſſigning by ſuch laſt Will, or elſe ſhall be of none effect.

XXII. Sheriffs and other Officers, to whom any Writ or Precept ſhall be directed at the Suit of any perſon, upon any Statute, Judgment or Recogniſance hereafter to be had or made, may deliver Execution of all Lands, *&c.* whereof others ſhall be ſeiſed or poſſeſſed in Truſt for him againſt whom Execution is ſued. Truſts in Fee-ſimple ſhall be Aſſets to Heirs.

XXIII. Provided, That no Heir chargeable by reaſon of any Truſt, made Aſſets by this Law, ſhall by reaſon of any Plea, or confeſſion of the Action, or ſuffering Judgment by *Nient dedire*, or any other matter, pay the Condemnation out of his own Eſtate.

XXIV. Any Eſtate *pur auter vie* ſhall be Deviſable by a Will, Signed and Subſcribed as aforeſaid: and if no ſuch Deviſe be, it ſhall be chargeable in the hands of the Heir, if it come to him by a ſpecial Occupancy as Aſſets by deſcent; elſe it ſhall go to the Executors, and be Aſſets in their hands.

XXV. Any Judge or Officer of any of the Courts at *Weſtminſter* that ſhall Sign any Judgments, ſhall (without Fee) ſet down the Day of the Month or Year of his ſo doing, upon the Paper or Record, *&c.* which he ſhall Sign, which ſhall be Entred upon the Margin of the Roll of the Record of the ſaid Judgment: and ſuch Judgments, as againſt Purchaſers *bona fide* for valuable Conſideration, ſhall be Judgments only from ſuch Signing.

XXVI. No Writ of Execution ſhall bind the property of Goods but from the time of its delivery to the Sheriff, Under-Sheriff, or Coroners, who upon receipt thereof (without Fee) ſhall Endorſe on the back thereof the Day of the Month or Year when they received it.

XXVII. No Contract for the ſale of any Goods for 10 *l.* or upwards, ſhall be good, except the buyer actually receive part of them, or give ſomething in earneſt, or ſome Note thereof in Writing be made and Signed by the Parties to be charged, or their Agents.

XXVIII. The Day of the Month, and Year of the Enrolment of Recogniſances, ſhall be ſet down in the Margin of the Roll; and no Recogniſance ſhall bind Lands in the hands of Purchaſers *bona fide* and for valuable Conſiderations, but from the time of ſuch Enrolment.

XXIX. No Nuncupative Will ſhall be good, where the Eſtate bequeathed exceeds 30 *l.* that is not proved by the Oaths of three Witneſſes, that were preſent at the making thereof, nor unleſs the Teſtator bid them, or ſome of them to bear witneſs, That ſuch is his Will: nor unleſs it were made in the laſt Sickneſs of the deceaſed, and in the houſe of his Dwelling, or where he had been Reſident ten days or more, except where he was ſurpriſed from his own Home, and died before his Return.

XXX. After ſix months paſſed after ſpeaking the pretended Teſtamentary Words, no Teſtimony ſhall be received of ſuch Nuncupative Will, unleſs the ſaid Teſtimony were committed to Writing within ſix days after making the ſaid Will.

XXXI. No Letters Teſtamentary, or Probate of any Nuncupative Will, ſhall paſs the Seal of any Court till fourteen days after the Teſtators Deceaſe. Nor ſhall any Nuncupative Will be Proved, unleſs Proceſs have iſſued to call in the Widow or next of Kindred to the Deceaſed, to conteſt it, if they will.

XXXII. No Will in Writing of any perſonal Eſtate, ſhall be Repealed by Words only, except the ſame be in the life of the Teſtator committed to Writing, and read to him, and allowed by him, and that proved by three Witneſſes.

XXXIII. Souldiers in actual Military Service, and Mariners at Sea, may diſpoſe of their perſonal Eſtates, as before the making of this Act.

XXXIV. Eccleſiaſtical and other Courts having right to the Probate of Wills, ſhall retain the ſame, but ſubject to the Directions of this Act.

Free-hold.

I. Marlb. *cap.* 22. 52 *H.* 3. None ſhall Diſtrain his Free-holders to anſwer for their Free-holds, or for any thing touching the ſame, without the Kings Writ; nor cauſe his Free-holders to ſwear againſt their wills: for none may do that without the Kings Commandment.

II. Stat. 15 *R.* 2. 12. None ſhall be compelled to anſwer for his Free-hold, or for any other thing touching the ſame, or for any other thing real or perſonal, before the Council of any Lord or Lady;

Lady: And if any be hereafter moleſted in that kind, and thereof complain to the Chancellor, he ſhall have remedy.

III. Stat. 16 *R.* 2. 2. The Statute of 15 *R.* 2. 12. ſhall be duly put in execution; and if any Lord, Lady or other do to the contrary, they ſhall forfeit 20 *l.* to the King.

☞ Fuel.

*I. Stat. 7 *E.* 6. 7. The Aſſiſe of Fuel ſhall hereafter be as followeth: Every Sack of Coal ſhall contain four Buſhels of good and clean Coal: a Talſhid ſhall contain in length four foot beſides the Carf: Every Talſhid named of *one*, ſhall within a foot of the midſt be 16; of *two*, 23; of *three*, 28; of *four*, 33; and of *five*, 38 Inches about: Alſo every Billet ſhall contain in length 3 Foot 4 Inches, and being named a Single, ſhall contain 7 Inches and an half about; a Caſt, 10; and two Caſts 14: Likewiſe a Fagot bound ſhall be 3 foot long, and have the band 24 inches about, beſides the knot.

II. Billets of two Caſts may be made without danger of forfeiture, they being made according to the aforeſaid Aſſiſe, and marked within 6 inches of the midſt: but a Billet of one Caſt ſhall be marked within 4 inches of the end thereof.

III. For every Talſhid, Billet, Fagot, or Sack of Coals otherwiſe made and put to ſale, the Maker and Seller thereof ſhall forfeit 3 *s.* 4 *d.*

IV. None ſhall buy any ſuch Fuel but Wharfingers or Bargemen, or ſuch as will burn the ſame, or will retail it to ſuch as will burn it, in pain to forfeit the treble value of the Fuel otherwiſe bought; neither ſhall any alter any Mark or Aſſiſe of Fuel, upon the like forfeiture: all which forfeitures are to be divided betwixt the King and the Proſecutor, but are not recoverable, unleſs proſecuted within a year after the Offence committed.

V. Here, if the Offender be not able to ſatisfie the Forfeiture, he ſhall (upon Conviction by Witneſs or otherwiſe) be ſet upon the Pillory in the next Market-Town on the Market-day at 11 a Clock, by Command of a Juſtice of Peace, or any other of the Kings Officers, having a Billet or Fagot bound to ſome part of his Body.

VI. Stat. 43 *Eliz.* 14. So much of the Statute of 7 *E.* 6. 7. as concerns the Forfeiture of 3 *s.* 4 *d.* is Repealed: But the Aſſiſe of Fuel ordained by that Act is ſtill continued, and enjoyned to be obſerved in *London*, *Weſtminſter*, and all other Corporations where Tall-wood, Billet and Fagots are uſed to be ſold.

VII. If any bring any Tall-wood, Billet or Fagot, to any City, Burrough or Corporation to be ſold there, or being brought ſhall put the ſame to ſale, not being made according to the Aſſiſe limited by the Statute 7 *E.* 6. 7. or hereafter by this Act, upon Information thereof, the Mayor or other Head-Officer of ſuch City, Burrough or Corporation, ſhall ſwear ſix lawful Men there to enquire thereof;

of; and if the ſaid Fuel ſhall by them be found faulty, it ſhall be by ſuch Mayor or other Head-Officer delivered to the Overſeers for the Poor there, to be diſtributed to the Poor there, as the ſaid Overſeers ſhall think fit.

VIII. Every Talſhid marked *one*, being round-bodied, ſhall contain 16 inches and an half in compaſs; being half round, 19; and quarter cleft, 18 inches and an half: being marked *two*, and round, 23 inches; half round, 27; and quarter cleft, 26: marked *three*, and round, 28; half round, 33; quarter cleft, 32: marked *four*, and round, 33; half round, 39; quarter cleft, 38: and marked *five*, and round, 38; half round, 44; and quarter cleft, 43. All which are to be meaſured about within ſix inches of the midſt thereof, and are to contain the length limited by the Stat. of 7 *E.* 6. 7.

IX. In all other forms of cleaving of Tall-wood, which will not admit the former manner of cleaving, nor any of theſe, the Letter of the ſaid Statute of 7 *E.* 6. is to be obſerved.

X. Every Billet named a ſingle ſhall contain in compaſs, being round, 7 inches and an half; and no ſingles ſhall be made out of cleft Wood.

XI. Every Billet marked *one*, (called a *Caſt*) being round, ſhall contain in compaſs 11 inches; half round, 13; quarter cleft, 12 and an half; and marked *two*, (called *two Caſts*) being round, ſhall contain in compaſs 16 inches; half round, 10; and quarter cleft, 18 and an half. And in all other forms of Billet which will not admit the former manner of cleaving, and touching the length of Billet, the Letter of the ſaid Statute of 7 *E.* 6. is to be obſerved.

XII. A Fagot ſhall contain in compaſs (beſides the knot) 24 inches; and every fagot-ſtick ſhall be three foot long, except one, which may be but a foot long, to ſtop and harden the binding of the fagot the better.

☞ Fuſtians.

* I. Stat. 11 *H.* 7. 27. None ſhall Dreſs Fuſtians with any other Inſtruments than the broad Sheers, in pain of 20 *s.* for every ſuch Default, to be divided betwixt the King and the Proſecutor.

II. The Maſter and Wardens of Sheermen in *London* ſhall have power to ſearch the Workmanſhip of ſuch as uſe the broad Sheer, as well for Fuſtian as Cloth; and this Act ſhall be executed as well againſt Denizens as Strangers.

* III. Stat. 39 *Eliz.* 13. The Mayor of *London* or his Deputy, and the Maſter and Wardens of the Myſtery of Cloth-workers there, or ſuch diſcreet perſons as the ſaid Maſter and Wardens ſhall appoint, may make ſuch ſearch as the ſaid Maſter and Wardens of Sheermen might do together by the Statute of 11 *H.* 7. 26. And none ſhall reſiſt ſuch Search, in pain of 20 *s.* to be divided betwixt the King and the Proſecutor.

Gauging,

Gauging.

* I. Stat. 27 *E.* 3. 8. *Stat.* 1. ALl Wines white and red, brought into the Kings Dominions, ſhall be lawfully Gauged by the Kings Gaugers or their Deputies, and none ſhall reſiſt them; in pain to forfeit the Wines, to be Impriſoned, and to be Ranſomed at the Kings will.

II. If the Gauger be not ready to do his Office upon requeſt, or uſe fraud therein, he ſhall pay to the party grieved treble Damages, loſe his Office, and be Impriſoned, and Ranſomed at the Kings will.

III. If the Veſſel want due Meaſure, the value of that want ſhall be deducted out of the Price thereof.

* IV. Stat. 31 *E.* 3. 5. If any ſell a Tun or Pipe of Wine not Gauged, he ſhall forfeit the ſame Wine, or the value thereof, to the King.

* V. Stat. 4 *R.* 2. 1. The former Statutes made for Gauging ſhall be duly put in execution: and all other Veſſels of Wine, Vineger, Oyl, Honey, and other Liquors gaugeable, (brought into the Kings Dominions) ſhall be lawfully Gauged by the Gaugers thereunto Aſſigned, or their Deputies; and if any reſiſt them, or if they be found faulty, both the one and the other ſhall incur the pains ordained by the former Statutes.

VI. Stat. 14 *R.* 2. 8. None ſhall be moleſted for not Gauging of Rheniſh Wines, nor incur any Forfeiture for the ſame, otherwiſe than hath been uſed of old time.

VII. Stat. 18 *H.* 8. 17. All Tuns, Pipes, Tiercians and Hogſheads of Wine and Oyl (to be ſold within the Realm) ſhall be lawfully Gauged by the Kings Gauger, or his Deputy, before they be ſold, in pain to forfeit to the King the Wine, Oyl and Honey otherwiſe ſold, or the value thereof.

VIII. If any ſell any ſuch Veſſel wanting the due Meaſure, he ſhall abate ſo much of the Price as it wants of Meaſure, in pain to forfeit to the King the value of ſuch Wine, Oyl or Honey otherwiſe ſold.

IX. The Informer who will diſcover ſuch Forfeitures to the Lord Treaſurer or Barons of the Exchequer, ſhall receive half thereof for his labour.

X. Stat. 23 *H.* 6. 16. The Gauge-peny ſhall not be paid to the Gauger, or any other in his name, before he or his Deputies have Gauged the Wines, and then he may take it, and no more.

XI. He or his Deputy ſhall (upon requeſt) be ready to do their Office: and this Act is to be obſerved throughout the Realm, upon the pain compriſed in the Statute of 27 *E.* 3. 8.

XII. Stat. 31 *Eliz.* 8. No Brewer ſhall ſell or put to ſale in *London*, the Suburbs, or within two miles compaſs of the Suburbs; any Beer or Ale in Butts, Pipes, Punchions, Hogſheads, Tierces, or ſuch other Veſſel brought from beyond Sea, and never lawfully

Gauged

Gauged within this Realm, before the ſame be lawfully Gauged, and the true Content thereof ſet down thereupon (by the Gallon appointed for Beer and Ale, according to the Standard) by the Maſter and Wardens of the *Coopers* of the City of *London*, or their Deputies: neither ſhall any Brewer ſell or put to ſale any Beer or Ale in ſuch Veſſel elſewhere in *England* or *Wales*, before the ſame be lawfully Gauged, and the true Content thereof ſet thereupon by ſuch as by the Statute of 23 *H.* 8. 4. (*which ſee in* Coopers) are to have the Gauging of Barrels, Kilderkins and Firkins elſewhere in *England* and *Wales*, in pain to forfeit every ſuch Veſſel, and alſo the Beer and Ale therein, to him that will ſeiſe the ſame, and beſides 10 *s.* for every ſuch Veſſel: all which Forfeitures are to be divided betwixt the Queen and the Proſecutor.

XIII. The Fees of the Gauger ſhall be, for every Butt or Pipe a Peny, for every Punchion, Hogſhead or Tierce, an Half-peny, and for every other Veſſel after the like rate.

XIV. This Act ſhall extend to Denizens as well as to Strangers; and the Gauger may retain the Veſſel until he be paid his Fee.

XV. The Maſter and Wardens of the Coopers in *London*, or their Deputies or Deputy, within 48 hours after requeſt to them made, ſhall come to any perſon in *London*, or the Precinct aforeſaid, and ſhall Gauge and Mark his Veſſel, in pain of forfeiting to him that makes ſuch requeſt, 20 *s.* to be recovered by Action of Debt, *&c.*

XVI. This Act ſhall not extend to puniſh the Brewer that ſhall fill Veſſels which are Imported, and after they are ſo filled, are immediately to be Exported, to be ſent elſewhere out of this Realm.

Gigmills.

I. Stat. 5 *&* 6. *E.* 6. 22. None ſhall uſe any Gigmill for the Working of any Woollen Cloth, in pain to forfeit for every Cloth ſo uſed 5 *l.* to be divided betwixt the King and the Proſecutor.

☞ Gold, Silver, and Goldſmiths.

* I. Artic. ſuper Chart. *cap.* 20. 28 *E.* 1. None ſhall make, or cauſe to be made, any Veſſel, Jewel, or other thing, of Gold or Silver, except it be of good and true Allay, *viz.* Gold of a certain touch, and Silver of the *Sterling* Allay or better; and none ſhall work worſe Silver than Money.

II. No Veſſel of Silver ſhall depart out of the Workers hand until it be Aſſayed by the Wardens of the Craft, and Marked with the Leopards Head; neither ſhall any work worſe Gold than of the Touch of *Paris*; and the ſaid Wardens ſhall go from Shop to Shop to Aſſay Gold, whether it have the right Touch; and if any other be found, it ſhall be forfeit to the King.

III. None ſhall make Rings, Croſſes or Locks, nor ſet any Stone in Gold, unleſs it be natural: And Gravers of Stones and Seals

ſhall

ſhall give to each their weight of Silver and Gold, as near as they can.

IV. The Jewels of baſe Gold which they have, they ſhall utter as ſoon as they can; and if they buy any ſuch Work hereafter, they may buy it to work upon, but muſt not ſell it.

V. The Goldſmiths of all other Places in *England* ſhall be Governed by this Law, and one ſhall come from each Town to *London* to be aſcertained of their Touch.

VI. If any Goldſmiths offend againſt this Law, he ſhall ſuffer Impriſonment, and be Ranſomed at the Kings will.

VII. This Act ſhall not Impeach the Kings Prerogative.

VIII. Stat. 27 *E.* 3. 14. All Merchants, Denizens and Strangers, may Import Plate of Silver, and Billets of Gold, and all other Gold and Silver, to the Kings Bullion or his Exchanges, taking there Gold or Silver equal to the value: And any Man may take Forein Coin without Impeachment, yet he may refuſe it if he pleaſe.

IX. No Coin ſhall be current in the Kings Dominions but his own: neither ſhall any Export Gold, *Sterling*, or other Money, ſave only that which is new, except Merchants Strangers, who Importing Money will employ the ſame within this Realm; in which caſe they may Export without Impeachment ſo much as they Import, for ſo much thereof as ſhall not be ſo employed. Howbeit lawful ſearch thereof ought to be made in the Port where they arrive, and the Money ſo Imported muſt be put in Writing by the Searchers, to the end they may not Export more than they Import. But here, no Officer (by colour of ſuch Search) ſhall unduly vex the Merchant Stranger.

X. All falſe Money ſhall be forfeited to the King.

* XI. Stat. 37 *Ed.* 3. 7. Every Goldſmith ſhall make his Work of Silver lawfully of the Allay of good *Sterling*, and ſhall have a proper Mark by himſelf, made known to ſuch as ſhall be aſſigned by the King to ſurvey his Work or Allay.

XII. The Goldſmith ſhall not ſet his Mark thereunto until the Surveyors have made their Eſſay, as ſhall be ordained by the King and his Council: And when the Eſſay is made, the Surveyors ſhall ſet to the Kings Mark, and after the Goldſmith his Mark.

XIII. No Godſmith ſhall take for Veſſel white and full for the weight of a pound, (*viz.* of the Price of two Marks of *Paris* weight) but 18 *d.* as they do at *Paris*.

XIV. If the Goldſmith be found in default, he ſhall forfeit his falſe Metal to the King.

* XV. Stat. 5 *H.* 4. 13. None ſhall Gild any Rings or other things made of Copper or Latten, ſave only Ornaments of the Church, (beſides Chalices, the Metal plainly appearing in ſome part thereof) in pain to forfeit 5 *l.* to the King, and Damages to the party deceived by them.

XVI. Stat. 2 *H.* 5. *Stat.* 2. *cap.* 4 Goldſmiths ſhall Gild no Silver Wares but of the Allay of *Sterling*, and ſhall not take above

4 *s.* 8 *d.*

4 *s.* 8 *d.* for a pound of *Troy* Silver ſo Gilt, and for more or leſs after the ſame rate, in pain to forfeit to the King the value of the thing otherwiſe ſold.

* XVII. Stat. 8 *H.* 5. 3. None ſhall Gild Sheaths, or any Metal but Silver, and the Ornaments of Holy Church; neither ſhall any Silver any Metal but Knights Spurs, and the Apparel appertaining to a Baron, or above that Eſtate, in pain to forfeit ten times the value of the thing ſo Gilt, and to ſuffer a years Impriſonment: he alſo that will ſue for the ſaid Forfeiture ſhall have a third part thereof for his pains.

☞ XVIII. Juſtices of Peace have power to hear and determine the Offences committed againſt this Act.

* XIX. Stat. 2 *H.* 6. 14. None ſhall ſell any Work of Silver, unleſs it be as fine as *Sterling*, except what Sawder is neceſſary to be uſed therein, for which allowance ſhall be made accordingly.

XX. None ſhall put to ſale any ſilver Harneſs in *London* before it be Touched, and alſo marked with the Goldſmiths Mark, firſt made known to the Wardens of that Craft, in pain to forfeit the double thereof.

XXI If the Keeper of the Touch mark ſuch Harneſs with the Leopards Head which is not as fine as *Sterling*, he ſhall forfeit the double value thereof to the King, and Damages to the party grieved.

XXII. *York*, *Newcaſtle*, *Lincoln*, *Norwich*, *Briſtol*, *Salisbury* and *Coventry*, ſhall have ſeveral Touches, (according to the Ordinances of the chief Officers there) which ſhall be directed by the Orders of *London* upon the like Forfeiture.

XXIII. No Goldſmiths elſewhere, where there is no Touch, ſhall put to ſale any Work of ſilver under the fineneſs of *Sterling*, and ſhall ſet their Mark thereupon before they ſo put it to ſale, upon the like Forfeiture.

☞ XXIV. All Juſtices of Peace may hear and determine the Offences committed againſt this Act: Howbeit, if the Mint-maſter offend, he ſhall be puniſhed according to the form of his Indentures, *Vide* Stat. 2 *H.* 6. 12. in Title *Money*.

* XXV. Stat. 4 *H.* 7. 2. No Finer of Gold and ſilver ſhall Allay any fine Silver or Gold, nor ſell it, (ſave only to the Officers of the Mint, Changers, and Goldſmiths, for the amending of Coin and Plate, for which he ſhall receive the true value) in pain to forfeit the value of the Gold or Silver ſo Allayed or ſold, to be divided betwixt the King and the Finder.

XXVI. Neither ſhall any ſuch Finer ſell any Silver in Maſs Molten and Allayed, in pain to forfeit the ſame, to be divided betwixt the King and the Finder.

XXVII. All fine Silver which is to be parted, ſhall be made ſo fine, that it may bear Twelve-peny weight of Allay in a pound weight, and yet remain as good as *Sterling*: and every Finer ſhall put his ſeveral Mark upon ſuch fine Silver, in pain to forfeit the va-

lue

lue thereof, to be divided betwixt the King and the Finder.

XXVIII. No Goldſmith ſhall Melt or Allay any fine Silver, except it be for making Amels, Goldſmiths Work, or mending of Plate to make it as good as *Sterling*, neither ſhall he ſell any fine or Allayed Silver Molten into Maſs, to another Goldſmith, or to any other perſon whatſoever,

XXIX. This Ordinance ſhall be obſerved by all Goldſmiths, in pain to forfeit their ſilver, or the value thereof, to be divided betwixt the King and the Finder.

*XXX. Stat. 18 *Eliz.* 15. No Goldſmith ſhall work, ſell, or exchange any Goldſmiths Ware of Gold under 22 Carets fine, nor ſhall put more Sawder, Amel or other ſtuffings in his Work then is neceſſary for the finiſhing thereof; neither ſhall he take above 12 *d.* for the ounce of Gold (beſides the Faſhion) more than the Buyer may be allowed for it at the Queens Exchange or Mint: in pain to forfeit the value of the thing ſold or exchanged.

XXXI. No Goldſmith ſhall make, ſell or exchange any Goldſmiths Ware of ſilver leſs in fineneſs than 11 ounces and Two peny weight, or take above 12 *d.* for every pound weight of ſuch Ware (beſides the Faſhion) more than the Buyer may be allowed for it at the Queens Exchange or Mint, nor put to ſale any ſilver Work before he hath ſet his own Mark to ſo much thereof as may conveniently bear the ſame, in pain to forfeit the value of the thing ſo ſold or changed.

XXXII. If any Goldſmiths Work be marked and allowed by the Wardens or Maſters of that Myſtery, and be afterwards found faulty, the Wardens and Corporation of the ſaid Myſtery ſhall forfeit the value of the thing ſo ſold or exchanged.

XXXIII. The ſaid Forfeitures are to be divided betwixt the Queen and the party grieved.

Vide Money.

Grants.

I. Stat. 3, 4 *E.* 6. 4. An Exemplification of the Enrolment of the Kings Letters Patents under the Great Seal, ſhall be of as good force to be ſhewed or pleaded in behoof of the Patentees, their Heirs, Succeſſors and Aſſigns, or of any other having any Eſtate from, by or under them, or any of them, or by any other means under the Date of ſuch Letters Patents, as if the Letters Patents themſelves were produced.

II. Stat. 13 *Eliz.* 6. An Exemplification of the Enrolment of the Letters Patents by *H.* 8. *E.* 6. Qu. *M. Ph. & M.* Qu. *Eliz.* or any of them, ſince the 4*th* of *Febr.* in the 27*th* year of *H.* 8. or hereafter to be granted by the Queen, her Heirs or Succeſſors, ſhall be of as good force to be ſhewed or pleaded in behoof of the Patentees, their Heirs, Succeſſors and Aſſigns, and every other perſon having any Eſtate from, by or under them, or any of them, as well againſt the

the Queen, her Heirs and Succeſſors, as againſt all other perſons whatſoever, as if the Letters Patents themſelves were produced.

Habeas Corpus.

I. Stat. 31 Car. 2. WHenſoever any *Habeas Corpus* ſhall be ſerved upon any Officer, or other perſon, or left at the Gaol with any of the Under-Officers, within three days after that (unleſs the Commitment were for Treaſon or Felony expreſſed in the Warrant) the Priſoner, upon payment or tender of Charges, to be Endorſed on the Writ, not exceeding 12 *d. per* mile, and giving his own Bond to pay the Charges of carrying him back, if remanded, and not to eſcape by the way, ſhall be brought, and the Writ returned, and the cauſe of his Impriſonment certified, unleſs the Place of Commitment be more than twenty miles diſtant; and if ſo, and not above one hundred miles, then within ten days; if further off, then within twenty days, and no longer.

II. Such Writs ſhall be marked thus, *Per Stat. Triceſimo primo Caroli Secundi Regis*, and be Signed by the perſon Awarding the ſame, and perſons Committed (unleſs for Treaſon or Felony, as aforeſaid) or detained out of Term, may, or any one on their behalf, complain to the Lord Chancellor or Keeper, or any Judge, who upon view of the Copy of the Commitment, or Oath of its being denied, ſhall upon requeſt by ſuch perſons, or any on their behalf, atteſted and ſubſcribed by two Witneſſes, grant a *Habeas Corpus* under the Seal of their reſpective Courts returnable immediately; and the Priſoner within two days after he ſhall be brought up, ſhall be diſcharged, entring into Recogniſance with one or more Sureties, to appear in the Kings Bench next Term, or at the next Aſſiſes, Seſſions, or general Gaol-delivery, or ſuch other Court where the Offence is cogniſable; into which Court the Writ, Return and Recogniſances aforeſaid, ſhall be certified; unleſs it ſhall appear that the Party is detained upon a legal Proceſs out of ſome Court, or by Warrant of ſome Juſtice of Peace, for Offences not Bailable.

III. Perſons neglecting two Terms after their Impriſonment to pray a *Habeas Corpus*, ſhall not have any in Vacation time in purſuance of this Act.

IV. Officers refuſing to make the Returns, or bring the Priſoners, as aforeſaid, or to deliver within ſix hours, after demand, a Copy of the Commitment, ſhall for the firſt Offence forfeit to the party grieved 100 *l.* and for the ſecond 200 *l.* and be incapable to hold his Office.

V. No perſon delivered upon any *Habeas Corpus*, ſhall be again Committed for the ſame Offence, other than by Order and Proceſs of Court; and perſons knowingly recommitting any contrary to this Act, ſhall forfeit to the party grieved, 500 *l.*

VI. Perſons Committed for Treaſon or Felony, expreſſed in the Warrant,

Warrant, upon Prayer in open Court, the first week of the Term, or day of the Sessions of *Oyer* and *Terminer*, or Gaol-delivery, to be brought to Trial; if not Indicted the next Term, Sessions of *Oyer* and *Terminer*, or Gaol-delivery, after such Commitment, shall upon Motion the last day of such Term or Sessions, be let out upon Bail, unless it appear upon Oath, that the Kings Witnesses could not be produced that Term or Sessions. And if such persons upon such Prayer shall not be Indicted and Tried the second Term or Sessions after Commitment, they shall be discharged.

VII. This Act shall not extend to any person charged with Process in any Civil Cause.

VIII. Persons, Subjects of this Realm, Committed for any Crime, shall not be removed into custody of any other Officer, unless by some legal Writ; or where the Prisoner is delivered to the Constable, *&c.* to be carried to Gaol: or sent by any Judge, or Justice of Peace his Order to a Work-house, or removed within the County in order to a Trial or Discharge, or in case of Fire, Infection, or other necessity. Persons Signing any Warrants for removal, contrary to this Act, or Countersigning the same, and the Officers obeying them, shall incur the Forfeitures above-mentioned, both for the first and second Offence, to the party grieved.

IX. Prisoners may obtain their *Habeas Corpus* out of the Chancery or Exchequer, and the Lord Chancellor or Keeper, or any Judge denying any *Habeas Corpus* by this Act required to be granted, shall forfeit to the party grieved 500 *l.*

X. Writs of *Habeas Corpus* may run into County Palatines, Cinque-Ports and other Priviledged places, and into the Isles of *Jersey* or *Guernsey*.

XI. No Subject inhabiting within the Realm, shall be sent Prisoner out of it into any other parts; persons so Imprisoned may have an Action of false Imprisonment against such as Commit or Transport them, and all others Framing or Counter-signing any Warrant for such Imprisonment or Transportation, or shall be assisting in the same: and shall recover treble Costs and Damages, which Damages shall nor be less than 500 *l.* Persons offending herein shall be disabled to bear any Office of Trust or Profit within the Realm, or Dominions thereunto belonging, and incur the Statute of *Præmunire*, and be incapable of any Pardon from the King.

XII. This Act shall not extend to such as shall agree by Contract in Writing with any Merchant or other person to be Transported, and give earnest upon such Agreement, nor to persons Convicted of Felony, and praying to be Transported, nor to the Imprisonment, or any thing relating thereto, of any person before the first of *June*, 1679, nor to persons resiant within this Realm that shall have committed any capital Offence in *Scotland*, *Ireland*, or any the Islands or Foreign Plantations of the King; but that such persons may be sent to receive Trial as before this Act.

XIII. Persons offending against this Act, shall not be Impleaded

but within two years after the Offence committed, unleſs the party grieved be then in priſon; and if ſo, then within two years after the deceaſe or delivery of ſuch perſon.

XIV. After the Aſſiſes proclaimed, none ſhall be removed from the common Gaol upon any *Habeas corpus* in purſuance of this Act, but ſhall be brought before the Judge of Aſſiſe in open Court.

XV. Defendants in Suits for Offences againſt this Law may Plead the General Iſſue, and give the ſpecial Matter in Evidence.

XVI. Perſons Committed as acceſſary before the Fact to any petty Treaſon or Felony, or upon ſuſpicion thereof, or with ſuſpicion of petty Treaſon or Felony, expreſſed in the Warrant of Commitment, ſhall not be Removed or Bailed by vertue of this Act.

Hats and Caps.

* I. Stat. 8 *Eliz.* 11. None by himſelf or any other ſhall work Hats or Felts with Forein Wooll or Stuff, unleſs he hath been Apprentice or Covenant-Servant ſeven years at leaſt to the Myſtery of Hat or Felt-making, in pain to forfeit the Hats or Felts he ſhall make or cauſe to be made, and alſo 5 *l.* for every month he ſhall ſo continue.

II. None ſhall make, ſell, or cauſe to be made or ſold, any thing of Felt but Hats, nor any Cap of any Woollen Cloth not Knit, nor Dye, or cauſe to be Dyed any Cap with Bark or Swarf, but only with Copperas and Gall, or with Woad and Madder.

III None ſhall Full in any Mill any Cap, until it be firſt well Scoured and Cloſed upon the Bank, and half Thicked (at leaſt) in the Foot-ſtock.

IV. The Maſter and Wardens of Haberdaſhers in *London*, calling to them one of the Company of Cappers, and another of the Hatmakers, ſhall have power to Search (in *London*, and within three miles round) all Cappers and Hatters, and to puniſh them that offend, by Fines or otherwiſe, as they do other Offenders in that Company. The like alſo ſhall be done by Mayors and other Head-Officers in other Cities and Corporations elſewhere.

V. No Hat-maker ſhall retain above two Apprentices at once, or take any for leſs time than ſeven years, in pain to ſuffer for every Apprentice otherwiſe taken, a months Impriſonment without Bail and every ſuch taking ſhall be void; and the party ſo taking ſhall be from henceforth diſabled to have any more Apprentices than one.

VI. This Act ſhall not reſtrain a Felt or Hat-maker to employ his own Children, nor extend to the making of Hats with Worſted Yarn in *Norwich*.

* VII. Stat. 1 *Jac.* 1. 17. The Forfeitures and Penalties given by the Statute of 8 *Eliz.* 11. and alſo by this preſent Statute ſhall be divided betwixt the King and the Proſecutor.

VIII. None ſhall make, or cauſe to be made, any Felt or Hat, unleſs

leſs he hath ſerved ſeven years as an Apprentice in Felt-making, neither ſhall he retain any other than Journeymen who have lawfully Served in that Art, and Apprentices lawfully bound to the ſame, nor have above two Apprentices at once, nor thoſe for leſs time that ſeven years, in pain to forfeit 5 *l.* for every month he offends contrary to this Statute.

IX. None ſhall retain in the Art of Hat or Felt-making any perſon born out of the Kings Dominions, in pain to forfeit 5 *l.* for every month he ſo continues him.

X. This Act ſhall not prohibit Parents, lawfully exerciſing the ſaid Art, to employ their Sons in their own Houſes, ſo that they be bound Apprentices by Indenture for ſeven years, which may not expire until they attain the Age of 22 years.

XI. Felt-makers at the time of this Statute, and their Servants, may ſo continue, albeit they have not ſerved ſeven years as Apprentices.

☞ Havens, Harbours, and Rivers.

I. Stat. 2 *H.* 6. 15. None ſhall faſten Trinks or other Nets over Rivers to the deſtruction of the Fry of Fiſh, and diſturbance of the common Paſſage of Veſſels, in pain to forfeit 5 *l.* to the King: Howbeit they may uſe them in ſeaſonable times, ſo they draw them as other Fiſhers do their Nets, without faſtening them as aforeſaid. And here every mans right of Fiſhing is ſaved.

II. Stat. 4 *H.* 7. 15. The Mayor of *London* and his Succeſſors ſhall have the like Conſervation and Authority in all the Iſſues, Breaches, and Ground overflown, as far as the water ebbeth and floweth, grown out of the River of *Thames*, (as touching the puniſhment for uſing unlawful Nets and Engines) as he hath within the ſame River.

* III. Stat. 23 *H.* 8. 18. & 27 *H.* 8. 23. Two ſeveral Acts were made to the ſame effect, for preſervation of the Havens and Ports of *Plymouth*, *Dartmouth*, *Tinmouth*, *Falmouth*, *Fowet*, and other Ports in *Devon* and *Cornwal*: and that none ſhould labour in Tin-works near the freſh Rivers of thoſe Havens: and thoſe who labour in Tin-works ſhould prevent the falling of Stones and Gravel into thoſe Havens, upon a Forfeiture. Alſo, if any ſhould be troubled in the Stannary for executing this Act, ſuch Suit ſhould be void, ☞ and if any ſhould be Impriſoned by the Stannary, he ſhould be diſcharged by a Juſtice of Peace: ſaving the Liberties of the Stannaries. *See the Statutes at large.*

* IV. Stat. 23 *H.* 8. 18. No Fiſh-garths or other Engines ſhall be ſet in *Ouſe* or *Humber*: and with what Nets Men ſhall Fiſh there. *See this Statute at large.*

* V. Stat. 27 *H.* 8. 18. If any perſon do or procure any thing to be done to the annoying of *Thames*, making of Shelves there, by Mining, Digging, caſting of Dung, Rubbiſh or other thing therein,

or otherwiſe, howſoever; or convey away any Boards, Stakes, Timber-work, Pillars, or other things, from the Banks or Walls thereof, except it be to repair them; or undermine any Banks or Walls there to the damage of the ſaid River: he ſhall forfeit for every ſuch Offence 5 *l.* to the King and the Mayor and Commonalty of *London*, to be recovered by the ſaid Mayor and Commonalty.

VI. This Act ſhall not reſtrain the taking of Ballaſt for Ships in the Shelves near the *Thames*, nor to carry away the Gravel, Earth or Rubbiſh found in the ſaid Shelves.

VII. Stat. 31 *H.* 8. 4. The Mayor and Bailiffs of *Exceſter* may break all Wears and other Lets in the River of *Exe*, and ſhall pay to the Owners and Farmers of ſo much Ground as they ſhall Dig the rate of Twenty years Purchaſe. or ſo much as ſhall be adjudged by the Juſtices of Aſſiſe in the County of *Devon*. *See this alſo at large.*

* VIII. Stat. 34 *H.* 8. 9. None ſhall caſt or unlade out of any Ship or Veſſel in any Haven, Road, Channel or River flowing or running to any Port-Town, City, Burrough, or other Town, any Ballaſt, Rubbiſh, Gravel, or other Wrack or Filth; but only upon the Land above the full Sea-mark, in pain of 5 *l.* to be divided betwixt the King and the Proſecutor.

IX. Stat. 27 *Eliz.* 20. It ſhall be lawful for the Mayor and Commonalty of *Plymouth* to dig a Trench ſix or ſeven Foot broad through all Grounds lying betwixt *Plymouth* and any part of the River of *New*, for conveying that river thither, and to repair it, and to do all other things neceſſary for the ſame, they paying the Owners and Farmers of the Grounds ſo to be digged the value thereof, to be Aſſeſſed by two Juſtices of Aſſiſe. Howbeit that Water ſhall not be conveyed through any Orchard, Garden, or to the hindrance of any Mill, without the Owners conſent.

X. Stat. 27 *Eliz.* 21. An Act concerning *Orford* Haven in *Suffolk*.

XI. Stat. 27 *Eliz.* 22. An Act for making a new Channel from the City of *Chicheſter* to the Suburbs there. *See theſe two laſt Statutes at large.*

XII. Stat. 3 *Jac.* 18. An Act for the making of a new Trench to convey the Water from *Cadwel* and *Anwel* to *London*.

XIII. Stat. 4 *Jac.* 12. An Act for the Explanation of the Stat. of 3 *Jac.* 18. and to give power to the Mayor and Commonalty of *London* to convey the ſaid Water in a Trunk or Vault.

XIV. Stat. 13 & 14 *Car.* 2. *cap.* 27. An Act for repairing of *Dover* Harbour. *See the Statute at large.*

XV. Stat. 16 & 17 *Car.* 2. *cap.* 12. An Act for making the River *Avon* Navigable from *Chriſt-Church* to the City of *New-Sarum*.

XVI. Sta. 22 *Car.* 2. *cap.* 2. An Act for repairing the Haven and Piers of *Great Yarmouth*. Vid. *Yarmouth*.

XVII. Stat. 29 *Car.* 2. *cap.* 10. *Vid. ibidem.*

☞ Hawks, and Hawking.

I. Stat. 34 *R.* 2. 22. A Hawk taken up ſhall be delivered to the Sheriff, who after Proclamation made in the good Towns of the County, (if challenged) ſhall deliver her to the right Owner.

II. If the Hawk were taken up by a mean man, and be not challenged within four months, the Sheriff ſhall retain her, ſatisfying the party for taking her: But if by a man of Eſtate, who may conveniently keep an Hawk, the Sheriff ſhall reſtore her to him again, he anſwering for the charge of keeping her.

III. If any do take away or conceal a Hawk, he ſhall anſwer the value thereof to the Owner, and ſuffer two years Impriſonment; and in caſe he be not able to anſwer the value, he ſhall remain in priſon a longer time.

IV. Stat. 37 *Ed.* 3. 19. He that ſteals and carries away an Hawk, not obſerving the Ordinance of 34 *Eliz.* 3. 22. ſhall be deemed a Felon.

Hearth-money.

I. Stat. 13 & 14 *Car.* 2. *cap.* 10. Every Dwelling, and other Houſe and Edifice which is or ſhall be, ſhall be charged with the Annual payment to the King and his Succeſſors of 2 *s.* at *Michaelmas* and the *Annunciation* by equal Portions, for every Fire-hearth and Stove.

II. Owners and Occupiers within ſix days after notice, ſhall deliver to the Conſtables or other Officers within whoſe Precinct their Houſes are, and they in Colledges and other Societies to their reſpective Treaſurers or other Officers, an Account under their Hands, of all their Hearths and Stoves: which Officers ſhall by the laſt of *May* 1662, require ſuch Accounts of the Occupiers, and on Receit, or in Default thereof, or if there be no Occupiers, then within ſix days after notice in Writing fixed to the Door; ſhall enter and compare ſuch Accompts, and if no Account be delivered, they ſhall take information by their own view, on pain to forfeit 5 *l.* for every weeks neglect, and 40 *s.* for every Hearth wilfully returned falſly.

III. The ſaid Officers at the next Quarter Seſſions after the laſt of *May* aforeſaid, ſhall deliver the ſaid Accounts, with the Names of thoſe that refuſe to give an Account to the Juſtices of Peace: who within a month ſhall cauſe them to be enrolled by the Clerks of the Peace, and Duplicates in Parchment under the Hands and Seals of three Juſtices, to be returned into the Exchequer, upon pain that the Clerk of the Peace forfeit 200 *l.* for the firſt months neglect, and for the ſecond loſe his Place.

IV. The ſaid Officers ſhall every half year within ſix days after

the Duty grows due, gather it, and give Acquittances, without taking any thing for them; which ſhall be a full Diſcharge to thoſe that pay; and in caſe of refuſal, may Levy the ſame by Diſtreſs and Sale of Goods: and within twenty days after the ſaid Duties ſhall be due, ſhall pay what they have received, deducting 2 *d.* in the pound, to the High-Conſtables of the ſeveral Hundreds, and take Acquittances without paying any thing for the ſame, and ſhall then deliver the Names of them that have paid, and of thoſe that have not paid, where no Diſtreſs can be had: all which the High-Conſtables ſhall within ten days pay and deliver to the High-Sheriffs, deducting a peny in the pound; and they within thirty days after receit thereof, ſhall return the ſame into the Exchequer, deducting 4 *d.* in the pound, *viz.* 3 *d.* for themſelves, and 1 *d.* for the Clerk of the Peace.

V. The High-Sheriff of *London* and *Middleſex*, for *London* and ſo much of the County of *Middleſex* as lies within the Bills of Mortality, other than the Inns of Court and Chancery, and the High-Sheriff of *Surry* for the Burrough of *Southwark*, and all Sheriffs of any City or Town, being a County of it ſelf, for ſuch Places reſpectively ſhall be Collectors, and the Conſtables and other Officers ſhall deliver Duplicates of the ſaid Accounts of Hearths, *&c.* to them, who ſhall Levy the ſaid Duties, and give Acquittances without Fees, and within fourty days after the ſaid Duties ſhall be payable, ſhall pay the Money into the Exchequer, with the Names of ſuch as make Default, where no Diſtreſs can be laid, and Deducting 4 *d. ut ſupra*. The Officers of the Exchequer ſhall diſcharge ſuch as have paid without Fees, and ſhall iſſue out Proceſs againſt Defaulters.

VI. The ſaid Revenue ſhall not be charged with any Grant or Penſion; all ſuch Grants, and every Clauſe of *Non obſtante* therein, ſhall be void, and the Grantees accountable to the King, and the Exchequer ſhall iſſue out Proceſs accordingly.

VII. Perſons proſecuted for what they do in purſuance of this Act, may Plead Not-guilty, and ſhall have treble Coſts if the Plaintiff or Proſecutor be Non-ſuit or Diſcontinue, or a Verdict paſs againſt him, or Judgment upon a Demurrer.

VIII. Increaſe and decreaſe of Hearths and Stoves ſhall be taken and returned, as the ſame is directed to be firſt taken, and where the decreaſe is, the Owner and Occupier diſcharged proportionably, without Pleading.

IX. None ſhall be charged for Arrears, unleſs the Suit be commenced within two years, and brought to Judgment within four years, and Levied within five years after they are due.

X. None, by reaſon of Poverty, exempted from payments to Church and Poor, ſhall be charged by this Act.

XI. If the Miniſter of the Pariſh and any one of the Churchwardens or Overſeers for the Poor, ſhall certifie yearly under their Hands to the two next Juſtices of Peace, who ſhall allow the ſame, that they believe any Houſe not to be of greater value than 20 *s.*

per

per annum, and that neither the perſon inhabiting, nor any uſing the ſame, hath or occupieth any Lands of 20 *s.* value *per annum*, nor hath in Lands or Goods to the value of 10 *l.* the ſaid Houſe ſhall be diſcharged for that year.

XII. They that accept any Grant of Money ariſing by this Act, ſhall forfeit double the value, the one moiety to the Poor of the Pariſh where they inhabit, the other to the Proſecutor.

XIII. Blowing-houſes, Stamps, Furnaces, or Kilns, private Ovens, Hearths, or Stoves in Hoſpitals and Alms-houſes, whoſe Revenue doth not exceed 100 *l. per annum*, excepted.

XIV. The ſaid Duties ſhall charge the Occupiers only, and not the Landlords.

XV. None indebted for the Duties aforeſaid, ſhall be thereby priviledged in the Exchequer, or to aſſign any Debt to the King towards ſatisfaction of the ſame.

XVI. Stat. 15 *Car.* 2. *cap.* 13. The Juſtices of Peace within their reſpective Juriſdiction at the next Seſſions after *Michaelmas* next, ſhall iſſue Warrants to the High Conſtables, or ſuch like Officers, and they to the petty Conſtables, Tithingmen, *&c.* requiring them the next *Sunday* to give notice publickly in the Church, and alſo particularly to every Occupier of any Houſe, *&c.* to give an Account under his Hand within ten days of all their Hearths and Stoves, *&c.* to ſuch Conſtable, *&c.* who may with two other Inhabitants enter ſuch Houſe, and upon his view compare ſuch Account, and Endorſe it accordingly, and ſhall tranſmit it within twenty days to the reſpective High Conſtable, *&c.* with a Book of two Colums; the one of the perſons Names and number of Hearths, *&c.* chargeable, the other of the perſons Names and Hearths, *&c.* not chargeable: which they having compared together, ſhall tranſmit within ſix days to the two next Juſtices of Peace, who may Examine all the ſaid Officers upon Oath concerning the faithfulneſs of their acting, and ſhall within ten days after ſuch Examination, Sign and tranſmit all to the Clerk of the Peace, who within twenty days ſhall Engroſs it in Parchment, to be kept in the reſpective places aforeſaid, and ſhall alſo within two months Engroſs a Duplicate thereof, which being Signed by him and two Juſtices of Peace, ſhall within a month after Engroſſment be tranſmitted into the Exchequer.

XVII. Occupiers of Houſes not making ſuch Account, or omitting any Hearth, *&c.* ſhall forfeit 40 *s.* for every Hearth omitted; Petty Conſtables, *&c.* not tranſmitting the ſame with a Book, *ut ſupra*, or not giving notice, or not comparing the Account with two Inhabitants, ſhall forfeit 5 *l.*

XVIII. High Conſtables, *&c.* not comparing the Original Accounts and the ſaid Book, or not tranſmitting the ſame, ſhall forfeit 10 *l.* one half of all which Forfeitures ſhall be to the King, the other half to the Proſecutor.

XIX. The annual changing ſuch Officers ſhall not diſable any

who ſhall be Conſtable, High Conſtable, Sheriff, *&c.* when ſuch Duties ſhall grow due from Collecting the ſame, *&c.* Perſons who ought to Collect, Receive, or pay over the ſaid Revenue, ſhall forfeit 20 *s.* for every weeks neglect. Where any Petty Conſtable, *&c.* may enter any Houſe and Diſtrain, he may call to his aid two Inhabitants of the Place. Where Sheriffs by 14 *Car.* 2. *cap.* 10. are appointed Collectors, they may make their Deputies, under the Seal of their Office, or their own Hand and Seal.

XX. The Treaſurers and other Officers of the Inns of Court, Colledges, and other Societies, ſhall do as Conſtables are enjoyned to do, though without Warrant from the Juſtices, and under the like Penalties: And Occupiers of Houſes, Chambers, *&c.* within ſuch Societies, ſhall do all things, and under the like Penalties as Occupiers of Houſes, *&c.* elſewhere.

XXI. The Bailiff of *Weſtminſter*, or his Deputy within *Weſtminſter* and the Liberties thereof, may execute this and the former Act as amply as any Sheriffs who by the former Act are made Collectors, and under the like Penalties, and ſhall receive the like Reward: And ſo likewiſe the Bailiff of the Burrough of *Southwark*, within the Burrough of *Southwark*, and the Liberties thereof.

XXII. The Lord Treaſurer of *England* and Chancellor of the Exchequer, may make further allowace to the Clerks of the Peace, not exceeding one Peny in the Pound by the year.

XXIII. Stat. 16 *Car.* 2. *cap.* 3. The King from time to time, with the advice of the Lord Treaſurer, Chancellor, Under Treaſurer, and Barons of the Exchequer, or any three of them, whereof the Lord High Treaſurer or Chancellor of the Exchequer to be one, may appoint Officers to Collect the Duty ariſing from Hearths and Stoves, and to view and number them, and examine the Returns made thereof into the Exchequer, or any thing belonging to the ſame. Any of which perſons, together with the Conſtable, Tythingman, or other proper Officer of the Place, and where ſuch publick Officers are not, without ſuch Aſſiſtance, may once a year enter into any Houſe, *&c.* and examine whether there are more Hearths and Stoves than were formerly certified, and how many are increaſed or decreaſed; and if they find any variance in the number returned, they and the Conſtable or other Officer to certifie it to the Clerk of the Peace; which after approbation by the Juſtices of Peace at their Seſſions, ſhall be certified to the Kings Remembrancer in the Exchequer.

XXIV. The Duty ſhall be paid to ſuch Officers or their Deputies on demand, at the place where it ſhall ariſe: and for default of payment by the ſpace of an hour, the ſaid Officers or their Deputies, aſſiſted as aforeſaid, may Levy it by Diſtreſs and Sale of Goods, rendring the overplus, Charges Deducted; which Charges ſhall not exceed one moiety of the Duty and Arrears.

XXV. None ſhall be charged for the ſaid Duty after two years after

after it is due. If violent oppoſition or injury to ſuch Officer or his Deputy, in the execution of this Act, be proved by Oath before a Juſtice of Peace or chief Magiſtrate of the Place, ſuch Juſtice, *&c.* may puniſh ſuch Offender by Impriſonment, not exceeding a month. Officers formerly appointed to Collect the ſame, ſhall be diſcharged from future Collecting, otherwiſe than as they are directed by this Act.

XXVI. Perſons ſo employed, ſhall firſt give Security, and make Oath before a Baron of the Exchequer, or others authoriſed to take ſuch Security and Oath by Commiſſion from the Court of Exchequer for due execution; and ſhall exact no Fee from any Subject, on pain of being diſabled to execute the ſaid Employment, and to render treble Damages. They ſhall Sign Acquittances without Fee, and ſuch Acquittance ſhall be a final Diſcharge.

XXVII. If any perſon relinquiſh any Houſe, *&c.* before any of the half yearly Feaſts, the next Occupier ſhall be charged for the ſaid half year. They that fraudulently conceal Hearths, the ſame being proved by their Confeſſion, or upon Oath before a Juſtice of Peace or chief Magiſtrate, or by their view, ſhall pay double the value of the Duty to be Levied as aforeſaid.

XXVIII. They that divide Houſes into ſeveral Dwellings, or Lett them to ſuch as by reaſon of their poverty may pretend to be exempted from the payment of the ſaid Duty, ſhall pay the Duty as they ought to have done before that time. None dwelling in a Houſe with more than two Hearths or Stoves, other than Almshouſes, ſhall be exempt by any pretext whatſoever.

XXIX. Differences about Levying Money by virtue of this Act, ſhall be finally determined by a Juſtice of Peace or chief Magiſtrate of the Place reſpectively.

XXX. Collectors appointed by virtue of this Act, ſhall pay what they receive into the Exchequer within three months after the Feaſt of S. *Michael* or the *Annunciation* happening next after it was due, on pain to loſe their Office. All Officers within their Limits ſhall give aſſiſtance to ſuch Collectors.

XXXI. Such Collectors ſhall pay to the Petty Conſtables and Clerks of the Peace, ſuch Allowances as are given them by former Acts.

Heretique.

I. Stat. 29 *Car.* 2. *cap.* 9. The Writ *De Hæretico comburendo*, with all Proceedings thereon, and all puniſhments by death in purſuance of any Eccleſiaſtical Cenſures, are from henceforth utterly aboliſhed.

Heramſhire.

I. Stat. 14 *Eliz.* 13. *Hexam* and *Hexamſhire*, with the Liberties thereof, ſhall be within the County of *Northumberland*.

☞ High-ways.

I. Stat. 14 & 15 H. 8. 6. An Act was made for altering of the High-ways in the Wild of *Kent*. *See the Statute at large.*

II. Stat. 26 H. 8. 7. The Stat. of 14 & 15 H. 8. ſhall extend to *Suſſex*.

III. Stat. 37 H. 8. 3. An Act for the keeping of *Huntington*-Lane near *Cheſter* in good repair. *See the Statute.*

* IV. 1 *M. Parl.* 3. *cap.* 5. Juſtices of the Counties of *Dorſet* and *Somerſet* ſhall Aſſeſs thoſe Counties towards the repair of the Cauſey lying betwixt *Shaftsbury* and *Sherborn*. *See the Statute.*

V. Stat. 2 & 3 P. & M. 8. The Conſtable and Churchwardens of every Pariſh ſhall yearly upon *Tueſday* or *Wedneſday* in *Eaſter*-week, call together ſome of their Neighbours, and then make choice of two within the Pariſh to be Surveyers of the High-ways the year following, who ſhall forthwith take that Office upon them, in pain to forfeit 20*s.* apiece. The ſaid Conſtables and Churchwardens ſhall then alſo nominate four days betwixt that time and *Midſummer* to be ſet apart for the amendment of the High-ways, and ſhall give publick notice thereof in the Church the next *Sunday* after *Eaſter*.

VI. The Officers and Days being thus appointed, every one having a Team, or Plough-Land either in Arable or Paſture, is chargeable to ſend two able Men with a Team and Tools convenient to work 8 hours upon every one of thoſe 4 days, in pain to forfeit 10 *s.* for every day that Default is made: And every Cottager is bound to work himſelf, or to find a ſufficient Labourer to work for him, as aforeſaid, in pain to forfeit 12 *d.* for every day.

VII. The Surveyers have power to appoint, in ſtead of a Team, two able Labourers to work as aforeſaid, who ſhall not fail, in pain that the party who ſhall ſend them ſhall forfeit 12 *d.* for every day that either of them makes Default.

VIII. Stewards in Leets have power to enquire after the breach of this Act, and to ſet Fines upon ſuch as make Default, at their diſcretion; and ſhall within ſix weeks after *Michaelmas* deliver Indented Eſtreats thereof under their Hands and Seals, *viz.* one to the Bailiff or High-Conſtable of the Liberty, and the other to the Conſtables and Churchwardens of the Pariſh where the Default was made.

IX. In default of Preſentment thereof in Leets, the Juſtices of Peace in Seſſions ſhall enquire thereof, and ſet ſuch Fines as they or two of them (1. *Qu.*) ſhall think fit; whereof the Clerk of the Peace ſhall alſo deliver Indented Eſtreats under his Hand and Seal, in like ſort as aforeſaid.

X. Their Eſtreats ſhall be a ſufficient Warrant for the Bailiff or Chief Conſtable to Levy the ſaid Fines by way of Diſtreſs; and if no Diſtreſs can be found, or the party do not pay the Fine within twenty days after lawful demand thereof, he or they ſhall forfeit double ſo much. All which Fines and Forfeitures ſhall be employed towards the amendment of the High-ways.

XI. The

XI. The Bailiff or High-Conſtable ſhall yearly betwixt the firſt of *March* and the laſt of *April*, render unto the Conſtables and Churchwardens, unto whom the other part of the Eſtreats was delivered, a true Accompt of the Money received by him, in pain of 40 *s.* and the ſaid Conſtables and Churchwardens have power to call the ſaid Bailiff or High-Conſtable before two or more Juſtices of Peace (1. *Qu.*) to paſs his Accompt; who have power to Commit him until he ſhall have ſatisfied all the Arrearages by him received, ſave 8 *d.* in the Pound for his own Fee, and 12 *d.* in the Pound for the Fee of the Steward or Clerk of the Peace. And in this caſe, the ſucceeding Conſtables and Churchwardens have the ſame power that their Predeceſſors had.

* XII. Stat. 5 *Eliz.* 13. It ſhall be lawful for the Surveyers to turn a Water-courſe (hurtful to the High-way) into any mans Ditch, or to take Rubbiſh ready digged in or near any mans Quarter; and for default of Gravel, *&c.* elſewhere, to dig in any ſeveral Ground, ſo they forbear to dig in Houſes, Orchards, Gardens and Meadows, or to make a Pit above ten yards: But if they fill not the place again with Earth (to be done at the Coſts of the Pariſh) within one month after it ſhall be ſo digged; they ſhall forfeit five Marks to the Owner of the Ground, to be recovered by Action of Debt.

XIII. The Hedges and Ditches adjoyning to the High-way, ſhall be kept low and ſcoured, and the Trees and Buſhes growing in the High-way, cut down by the Owners of the Grounds which ſhall be incloſed by the ſaid Hedges and Ditches.

XIV. In ſtead of the four days appointed by the Statute of 2 *&* 3 *P. M.* 8. ſix days ſhall hereafter be obſerved.

XV. The Surveyers, or one of them, ſhall Preſent every Default within one month after it ſhall be made, to the next Juſtice of Peace, in pain of 40 *s.* and the ſaid Juſtice of Peace ſhall certifie the ſame Preſentment at the next general Seſſions, in pain of 5 *l.* where the Juſtices ſhall have power to enquire of the Default, and ſhall ſet ſuch Fine upon the Delinquent as they, or two of them, (1 *Qu.*) ſhall think fit.

XVI. Here, the Preſentment of a Juſtice of Peace in Seſſions, upon his own knowledge, ſhall be a good Conviction, whereupon the Juſtices in Seſſions, or any two of them, (1 *Qu.*) may Aſſeſs a Fine, as well as upon a Verdict of 12 Men. Howbeit the Delinquent ſhall here be admitted to his Traverſe, as in other caſes.

XVII. The Fines Aſſeſſed in Seſſions ſhall be Eſtreated by the Clerk of the Peace, Levied, Accounted, and Employed as by the Statute of 2 *&* 3 *P. M* 8. is provided.

XVIII. Stat. 18 *Eliz.* 10. A Subſidy-man according to 5 *l.* in Goods, or 40 *s.* in Lands, not chargeable towards the High-ways by the Stat. of 2 *&* 3 *P. M.* 8. ſhall find two able Men to labour in the Ways, as by the ſaid Statute is appointed.

XIX. Every perſon having a Plough-Land in ſeveral Pariſhes, ſhall be chargeable with a Team or Draught in that Pariſh only where

where he dwells: Howbeit having intire Plough-Lands in ſever. Pariſhes, he ſhall for every one of them find a Team in the ſeveral Pariſhes where they lie, although he be not Inhabitant there.

XX. Every perſon not ſcouring his Ditches, or not keeping low his Hedges, Trees and Buſhes, according to the Stat. of 5 *Eliz.* 13. ſhall forfeit for every ſuch Default 10 *s.* and he that ſcours not his Ditches in the Ground next adjoyning to the Ground which is next the High-way, to the end the Water may have the better Paſſage over the ſaid Ground next the High-way, ſhall forfeit 12 *d.* for every Rod ſo left unſcoured.

XXI. None ſhall caſt the ſcouring of his Ditch into the High-way, and ſuffer it to lie there ſix months, in pain to forfeit 12 *d.* for every Load: and it ſhall be lawful for the Surveyers to make Sluces where any ſuch Banks have been heretofore caſt up.

XXII. The Penalties forfeited upon this Statute ſhall be Levied by the Surveyers for the time being by Diſtreſs and Sale of Goods, and ſhall be employed towards the amendment of the High-ways: but if the Surveyers neglect to do it within one year after the Offence committed, the Conſtable and Churchwardens ſhall do it, according to the Proviſions of the before-recited Statutes.

XXIII. Juſtices of Aſſiſe, *Oyer* and *Terminer*, Juſtices of Peace in Seſſions, Stewards in Leets, have power to hear and determine the ſaid Offences.

XXIV. Certain Proviſions for the repair of *Kings Ferry* in the Iſle of *Shepey*, and of the Ways leading thereunto.

XXV. Stat. 39 *Eliz.* 19. An Act for the repair of the High-ways in the Wilds of *Suſſex*, *&c.* uſed for Iron-works, wherein Juſtices of Peace have power to meddle. *See the Statute at large.*

* XXVI. Stat. 13 & 14 *Car.* 2. *cap.* 2. An Act for repairing the High-ways and Sewers, and paving and keeping clean of the Streets in and about the Cities of *London* and *Weſtminſter*, and for reforming Annoyances and diſorders in the Streets of, and Places adjacent to the ſaid Cities, and for the regulating and licenſing of Hackney-Coaches, and for the enlarging of ſeveral ſtrait and inconvenient Streets and Paſſages. This Act to be in force till the end of the firſt Seſſion of the next Parliament expired.

XXVII. Stat. 13 & 14 *Car.* 2. *cap.* 6. An Act for enlarging and repairing of common High-ways. This Act ſhall continue to the end of the firſt Seſſion of the next Parliament and no longer. *Expired.*

XXVIII. Stat. 15 *Car.* 2. *cap.* 1. An Act for repairing the High-ways within the Counties of *Hertford*, *Cambridge* and *Huntington*. Expired as to *Cambridge* and *Huntington*.

XXIX. Stat. 16 & 17 *Car.* 2. *cap.* 10. An Act for continuance of a former Act for repairing the High-ways within the County of *Hertford*. *See the Statute.*

XXX. Stat. 22 *Car.* 2. *cap.* 12. Every Conſtable or Surveyer of the High-ways, neglecting to put the Acts touching repairing, *&c.* High-ways in execution, or wilfully ſuffering any Wagons or Carts

to

to paſs in other manner than by this Act is allowed, ſhall upon complaint to a Juſtice of Peace, by the Oath of one Witneſs, or view of the Juſtice himſelf, be Convicted, and incur ſuch Fine as the Juſtice ſhall impoſe, not exceeding 40 *s.* to be Levied by the High-Conſtable or other Officer by Warrant under Hand and Seal of ſuch Juſtice, to be employed for the amending the High-ways of the Pariſh or Place where ſuch neglect ſhall be.

XXXI. Truſtees of Land given for maintenance of High-ways, *&c.* ſhall Lett them to Farm at the moſt improved yearly Rent without Fine. The Juſtices of Peace in their open Seſſions may order the improvement and employment thereof (other than of Lands given to Colledges and Halls in either Univerſity, that have Viſitors of their own) according to the will of the Donor, if they find that the perſons entruſted have been faulty.

XXXII. Perſons Convicted as aforeſaid, of reſiſting any employed in the Execution of this or any the Acts before mentioned, or of reſcuing Goods Diſtrained by vertue of them, ſhall forfeit 40 *s.* which if they pay not within ſeven days after notice of ſuch Conviction, any Juſtice of Peace near the Place may commit them to the County-Gaol, till payment to the Surveyers of the High-ways for that Pariſh, for amendment of thoſe High ways.

XXXIII. Actions for any thing done by means of this Act, ſhall be laid in the proper County: and the Defects may Plead the General Iſſue, and if there be a Verdict for the Defendant, or the Plaintiff be Non-ſuit, or Diſcontinue, the Defendant ſhall have treble Coſts. Where the High-ways cannot be amended before the Nativity of S. *John Baptiſt* yearly, they ſhall be repaired before the Feaſt of S. *Luke*, without incurring any Penalty for not doing thereof before the Nativity of S. *John Baptiſt*. Defects of repairs of High-ways or Bridges, ſhall be Preſented only in the County where they lie, nor ſhall any ſuch Preſentment or Indictment be removed, till it be Traverſed, and that Judgment be thereupon given.

XXXIV. The Occupiers, and where there are none, the Owners of Lands, Houſes, *&c.* adjoyning to the High-ways, Streets, *&c.* in the Suburbs and Liberties of *London*, Burrough of *Southwark*, and City and Liberty of *Weſtminſter*, which are or ſhall be paved, ſhall be liable to the Scavengers Rates, as by 14 *Car.* 2. *cap.* 2. is appointed, and where any Ground lies ſo as there may be a Diſpute who ought to amend the ſame, the Juſtices of Peace in their Quarter Seſſions ſhall determine it.

XXXV. No Carriage with any Burden (other than ſuch as are employed about Husbandry, and in carrying Hay, Straw, Corn unthreſht, Coal, Chalk, Timber for Shipping, Materials for Building, Stones, or Ammunition, or Artillery for the Kings Service) ſhall go in any High way with above five Horſes at length: and if any draw with more Horſes or Oxen, they ſhall draw all in pairs, except one Horſe.

XXXVI. Owners of Carriages or Beaſts offending, ſhall forfeit 40 *s.*

40 *s.* for every Offence, one Third to the Surveyers of the High-ways in the Town, *&c.* where committed, for the repair of them; another Third to the Overſeers of the Poor of the Pariſh where, *&c.* another third to him that ſhall diſcover the ſame, to be Impoſed and Levied as the Penalties Impoſed by this Act on Conſtables and Surveyors, for neglecting to put the Laws in Execution.

XXXVII. Where the uſage is to carry Materials for ſuch amendment on backs of Horſes, or by other Carriages, the Inhabitants ſhall ſend them in, with able perſons to work with them in like manner and under the like Penalties as is appointed for Carts and Teams.

XXXVIII. If any fail to make their Days-labour, or neglect to ſend their Carriages, *&c.* the Surveyors ſhall complain to the next Juſtices of Peace, who upon Oath thereof by one Witneſs, may Levy by Diſtreſs and Sale of Goods, for every Day-labourer neglecting, without a reaſonable cauſe, 1 *s.* 6 *d.* for every man and Horſe, 3 *s.* and for every Cart with two Men, 10 *s.* which Penalties ſhall be employed for repairing the High-ways in every reſpective Place and Pariſh.

XXXIX. The Surveyors and Orderers of the High-ways ſhall be yearly choſen by ſuch Perſons as by 2 *&* 3 *P. & M. cap.* 8. is appointed, upon ſome day in *Chriſtmas*-week, and ſhall appoint ſix days for providing Materials for amendment of the High-ways, giving publick notice before the ſeveral Days, (at which Days all perſons liable to the ſaid Work ſhall attend) and ſhall make return of the Defaulters within a month after every Default, to ſome Juſtice of Peace, who ſhall Preſent the ſame at the next Quarter Seſſions; and Offenders againſt this Act in all caſes not particularly directed by this Act, ſhall incur the Penalties inflicted by the Laws now in force for amending High-ways.

XL. For ten years next following the Juſtices of Peace in the Counties of *Cheſhire* and *Lancaſhire* upon Preſentment of the Jury at their Quarter Seſſions, may by Warrant under the Hands and Seals of the Major part of them, being ſix at the leaſt, then preſent, cauſe to be erected new Bridges in High-ways where they judge neceſſary, and repair ſuch as were demoliſhed in the late War: and charge their whole Counties, or any Hundred or Hundreds therewith, to be Levied as by the 22 *Hen.* 8. *cap.* 5. *Quod Vide*, Title *Bridges*.

XLI. Stat. 30 *Car.* 2. *cap.* 5. An Act for Repealing certain words in a Clauſe in a former Act of 14 *Car.* 2. *cap.* 6. Entituled, *An Act for enlarging and Repairing common High-ways.*

☞ Holy-days and Faſting-days.

* I. Stat. 2 *&* 3 *Ed.* 6. 19. An Act prohibiting Fleſh to be eaten on Fiſh days. *But ſee a greater Penalty inflicted* 5 Eliz. 5. *Infra in* Ships.

II. Stat. 5 *&* 6 *Ed.* 6. 3. Holy-days and Faſting-days are appointed.

appointed. *But* 1 M. Parl. 1. cap. 2. *this Act is Repealed: and afterwards by* 1 Jac. 25. 1 M. *is Repealed: And therefore* Quære *whether it had been now in force, unleſs it had been revived by ſpecial words*

III. Stat. 1 *Car.* 1. *cap.* 1. All concourſe of People out of their own Pariſhes for any Paſtime whatſoever, as alſo Bear-baitings, Bull-baitings, Enterludes, common Plays, and all other unlawful Paſtimes, are prohibited on the Lords-Day.

IV. The Offender againſt this Law being thereof Convicted by the view of one Juſtice of Peace, (in the Country) or by a chief Officer (in a Corporation) or by his own Confeſſion, or by the Oath of one Witneſs, before one ſuch Juſtice or Officer, ſhall forfeit 3 *s.* 4 *d.* to the uſe of the Poor where the Offence is committed, to be Levied by Diſtreſs and Sale of Goods (upon Warrant from the ſame Juſtice or Officer) by the Conſtables or Churchwardens of the ſame Pariſh; and in caſe no Diſtreſs can be had, the Offender ſhall ſit in the Stocks three hours: but this Offence ought to be proſecuted within one month after it ſhall be committed. And if the Officer be queſtioned, he ſhall Plead the General Iſſue, and yet give the ſpecial Matter in Evidence.

* V. Stat. 3 *Car.* 1. *cap.* 1. No Carrier with his Horſe, Waggoner with his Waggon, Car-man with his Cart, Wain-man with his Wain, or Drover with his Cattel, ſhall Travel upon the Lords-Day, in pain to forfeit 20 *s.* for every ſuch Offence.

VI. No Butcher ſhall kill or ſell any Victual upon the ſame day, in pain of 6 *s.* 8 *d.*

* VII. Here, the Conviction of the Offender, and the Levying and Employment of the Forfeitures are the ſame with thoſe of the former Statute: ſave only that here two Witneſſes are neceſſary, and the Forfeitures may alſo be recovered by a Proſecutor in the Seſſions of the County or Corporation where the Offence was committed: and in that caſe the Juſtice or Head-Officer may allow the Proſecutor part of the Forfeitures, but not above a third part.

VIII. This Action ſhall be proſecuted within ſix months: and here alſo the Officer may Plead the General Iſſue.

IX. Stat. 12 *Car.* 2. *cap.* 14. All Miniſters and their Succeſſors ſhall annually Celebrate the 29th of *May*, by rendring Praiſes and Thankſgivings for the Kings Reſtauration, and all perſons ſhall reſort upon that Day to ſome uſual Place where ſuch publick Thankſgivings ſhall be rendred. Miniſters ſhall give notice to their Pariſhioners at Morning Prayer the Lords-Day next before, and ſhall then read this Act to the People. *Confirmed* 13 *Car.* 2. *cap.* 11.

X. Stat. 12 *Car.* 2. *cap.* 30. Every 30th of *January*, unleſs it falls upon a Lords-Day, and then the Day after, ſhall be obſerved in all Churches and Chappels in the Kings Dominions, as a Day of Faſting and Humiliation for the Murther of King *Charles* the Firſt. *Confirmed* 13 *Car.* 2. *cap.* 7.

XI. Stat. 29 *Car.* 2. *cap.* 7. All Laws in force concerning the obſervation of the Lords-Day ſhall be put in Execution: and all

perſons

perſons ſhall on every Lords-Day exerciſe themſelves in Duties of Piety, publickly and privately: No perſon ſhall do any worldly Labour or Buſineſs on the Lords-Day; (Works of Charity and Neceſſity only excepted) and all of the age of fourteen years or upwards, offending in the Premiſes, ſhall forfeit 5 *s.* and no perſon ſhall publickly cry, or expoſe to ſale any Wares whatſoever on the Lords-Day, on pain to forfeit them.

XII. No Drover, Horſe Courſer, Waggoner, Butcher, Higler, or their Servants, ſhall Travel on the Lords-Day, on pain to forfeit 20 *s.* No perſon ſhall uſe or Travel on the Lords-Day with any Boat, Wherry, *&c.* except on extraordinary occaſion, to be allowed by a Juſtice of Peace, or Head-Officer of the Place, *&c.* on pain to forfeit 5 *s.* if Offenders in any of the Premiſſes be Convicted before a Juſtice of Peace of the County, or chief Officer or Juſtice of Peace of the City, Burrough, *&c.* where, *&c.* upon his or their view, or by Confeſſion, or Oath of one Witneſs, the ſaid Juſtice, *&c.* ſhall give Warrant to the Conſtables or Churchwardens to ſeiſe the Goods Cried or put to Sale, and ſell them, and Levy the other Penalties by Diſtreſs and Sale of Goods, and in caſe of inability, *&c.* to ſet the Offenders in the Stocks for two hours: the Penalties aforeſaid to be employed to the uſe of the Poor of the Pariſh, where the Offences are committed, ſaving, that any ſuch Juſtice or Head-Officer may out of them reward Informers, ſo as ſuch Reward exceed not a third part of the Penalties.

XIII. This Act ſhall not prohibit Dreſſing of Meat in Families or Inns, Cooks Shops, *&c.* nor Crying of Milk before Nine of the Clock in the Morning, or after Four in the Afternoon.

XIV. Proſecutions for any Offence mentioned in this Act muſt be within ten days after the Offence committed.

XV. If any perſon Travelling on the Lords-Day be Robbed, the Hundred ſhall not be charged. But the Inhabitants, after notice of ſuch Robbery, or Hue and Cry for the ſame, ſhall make purſuit according to the Statute of the 27th of the Queen, on pain to forfeit to the King as much Money as might have been recovered, if this Law had not been.

XVI. No perſons on the Lords Day ſhall Serve any Proceſs, *&c.* except in Caſes of Treaſon, Felony, and Breach of the Peace: but ſuch Services ſhall be void, and the perſons Serving the ſame ſhall anſwer Damages, as if they had done the ſame without Warrant.

Homage and Fealty.

I. Stat. 17 *E.* 2. When a Free-man doth Homage to his Lord of whom he holdeth in chief, he ſhall hold his Hands between the Hands of his Lord, and ſay thus:

I become your Man from this time forth for Life, for Member, and for worldly Honour, and ſhall owe you my Faith for the Lands that I hold of you; ſaving the Faith that I owe unto our Lord the King, and to mine other Lords.

II. When

II. When a Free-man doth Fealty to his Lord, he ſhall hold his right hand upon the Book, and ſhall ſay thus:

Hear you, my Lord R. *that I* P. *will be to you both faithful and true, and ſhall owe my Fidelity unto you for the Land that I hold of you, and lawfully ſhall do ſuch Cuſtoms and Services as my Duty is to you at all terms aſſigned. So help me God, and all his Saints.*

III. When a Villain doth do Fealty unto his Lord, he ſhall hold his right Hand over the Book, and ſay thus:

Hear you, my Lord A. *that I* B. *from this day forth unto you ſhall be true and faithful, and ſhall owe you Fealty for the Land I hold of you in Villenage, and ſhall be juſtified by you in Body and Goods. So help me God, and all his Saints.*

Honours.

I. Stat. 31 *H.* 8. 5. An Act for the making of the Mannor of *Hampton-Court* (with divers Mannors and Lands thereunto annexed) an Honour, and the King ſhall have a free Chaſe and Warren there: alſo the Offenders there ſhall be puniſhable as in any other Foreſt or Chaſe; all which are to be in the Survey of the Court of Augmentations. And *Shipton* is annexed unto the Dutchy of *Cornwall*, in lieu of *Biſſleet* and *Weibridge* taken away by this Act from the ſaid Dutchy.

II. Stat. 33 *H.* 8. 37. An Act for the making of the Mannor of *Ampthil* in *Com. Bed.* an Honour, and for annexing divers Lands in *Com. Bed.* and *Buck.* to the ſaid Honour, with other Articles concerning that Mannor, which ſaid Lands are appointed to the Survey of the Court of Augmentations.

III. Stat. 33 *H.* 8. 38. The like for the Mannor of *Graſton* in *Com. North.* *See the Statutes at large.*

Hops.

* I. Stat. 1. *Jac.* 1. 18. None ſhall bring, or cauſe to be brought into this Realm from Foreign Parts, any Hops deceitfully mixt with any Soil whatſoever, in pain to forfeit the Hops ſo brought in; neither ſhall any buy ſuch Hops (ſo brought in, or growing within the Realm) and employ them in Brewing, in pain to forfeit the value thereof: which ſaid Forfeitures ſhall be devided betwixt the King and the Proſecutor.

Horners.

* I. Stat. 4 *E.* 4. 8. No Stranger ſhall buy any *Engliſh* Horns unwrought, gathered or growing in *London*, or within twenty four miles thereof. The Wardens of Horners in *London* may ſearch all Ware belonging to their Myſtery in *London*, and within twenty four miles thereof, and in *Sturbridge* and *Ely* Fairs. *See the Statute at large.*

But note that this Statute is Repealed by 1 Jac. 25. *Howbeit it is recited, and in part revived by* 7 Jac. 14. *as followeth.*

II. Stat. 7 *Jac.* 1. 14. The Act of 4 *E.* 4. 8. and every part thereof (except power of Search in the Fairs of *Sturbridge* and *Ely*, and the limitation of ſuch Prices for Horns as they were to be had for, at the making of the ſaid Act) ſhall be revived, and be of like force as if it had not been Repealed by 1 *Jac.* 25.

III. None ſhall ſell *Engliſh*-Horns unwrought to any Stranger, nor ſend any ſuch Horns beyond Sea, in pain to forfeit the double value thereof, to be divided betwixt the King and the Proſecutor.

☞ Horſes, Mares, and Cattel.

* I. Stat. 20 *R.* 2. 5. None ſhall take the Horſe or Beaſt of any to ſerve the King, without the Owners conſent, or ſufficient Warrant, in pain to be Impriſoned until he recompenſe the party grieved.

* II. Stat. 11 *H.* 7. 13. None ſhall convey any Horſe out of the Realm, without the Kings Licence, in pain to forfeit the ſame, nor any Mare above the value of 6 *s.* 8 *d.* in pain to forfeit her, the Owner thereof receiving 6 *s.* 8 *d.* for her at the time of the Seiſure, otherwiſe that alſo is to be forfeited. And here, the Mare immediately after Seiſure is to be appriſed and ſold by the chief Officer there, and her Price (above the 6 *s.* 8 *d.*) is to be divided betwixt the King and the Seiſer, and the Kings part thereof to be delivered to the Cuſtomer of the Port there.

III. None ſhall convey any Mare out of this Land under three years old, or worth above 6 *s.* 8 *d.* and for thoſe he may convey, he ſhall pay the uſual Cuſtom.

IV. For every Mare (above that value) to be Tranſported beyond Sea by the Kings Licence, the Cuſtom ſhall be 6 *s.* 8 *d.* which ſhall be paid before ſhe be Shipped, in pain to forfeit her.

V. If any at the Port will for any ſuch Mare of under-value give 7 *s.* and pay for her, he ſhall have her, if ſhe were not before taken by the Kings Officer, or the Kings Licence for Tranſporting her were not before obtained.

VI. This Act ſhall not prohibit any to Tranſport beyond Sea (without the Kings Licence) any Horſe for his own uſe, he making Oath before the Cuſtomer or Searcher of the Port that he intends not to ſell him.

VII. Stat. 27 *H.* 8. 6. Every one having Inheritance or Freehold in a Park kept for Deer, and a mile about, or his Farmer, ſhall keep two Mares apt and able to bear Foals, each of them being thirteen Hands high from the loweſt part of the Hoof to the higheſt part of the Shoulder, and each hand containing four Inches, in pain of 40 *s.* for every month they want them: And if the Park be four miles about, they ſhall keep four ſuch Mares, upon the like pain.

VIII. If any of the Mares die, they have three months given them

them to provide another, without danger of incurring the ſaid Penalty.

IX. They ſhall not ſuffer their Mares to be Leapt by any Stoned Horſe under fourteen hands high, in pain of 40 *s.*

X. The ſaid Forfeitures are to be divided betwixt the King and the Proſecutor.

XI. This Act ſhall not extend to *Weſtmorland*, *Cumberland*, and *Northumberland*, nor the Biſhoprick of *Durham*, nor to Parks wherein the Inhabitants of the Town next adjoyning have Common.

XII. Spiritual perſons may ſell the Increaſe and Breed of their Mares, notwithſtanding this Act.

* XIII. Stat. 32 *H.* 8. 13. None ſhall put to feed upon Foreſts or Common-Ground, any Stoned Horſe, being above two years old, and not 15 Hands high from the lower part of the Hoof to the upper part of the Wither, (every Hand containing 4 Inches Standard-meaſure) in pain to forfeit the ſame Horſe.

XIV. It ſhall be lawful for any Man to ſeiſe to his own uſe any Stoned Horſe of leſſer ſtature, put to feed upon any ſuch Common-Ground as aforeſaid, ſo that firſt by the aſſiſtance of the Keeper of the Ground, or Conſtable, Bailiff, Headborough, or other ſuch Officer of the Pariſh adjoyning, ſuch Horſe be brought to the next Pound, and there by the Officer, and in the preſence of three other ſufficient Men, be meaſured and found lower than the Statute.

XV. Thoſe that refuſe to meaſure, or to be preſent at meaſuring of ſuch Horſe, ſhall forfeit 40 *s.* apiece for every ſuch Default, to be divided betwixt the King and the Proſecutor.

XVI. An Horſe that makes an eſcape into ſuch Common, ſhall not be queſtioned, ſo that he ſtay not above four days after notice thereof given at the Owners Houſe, or in his Pariſh Church.

XVII. Foreſts and Common-Grounds ſhall be driven yearly at *Michaelmas*, or within 15 days after, by the Keepers or Officers aforeſaid, in pain of 40 *s.* who have alſo power to drive them at any other time of the year at their pleaſure; ſuch power likewiſe have the Owners of ſuch Grounds: And here, upon the Drift, if any unlikely Tits ſhall be found, they ſhall be killed.

XVIII. Juſtices of Peace in Seſſions have power to hear and determine thoſe Offences, but Stewards of Leets only to take Preſentments of them; which they ſhall certifie in at the next general Seſſions, or to the *Cuſtos Rotulorum*, in pain of 40 *s.*

XIX. None ſhall put upon Common-Grounds or Common-Fields, any ſcabbed or infected Horſe, in pain to forfeit 10 *s.* to the Lord of the Leet.

XX. This Statute ſhall not reſtrain keeping of Horſes under the Statute upon Commons, where Mares are not uſually kept.

XXI. Stat. 1 *E.* 6. 5. None ſhall convey, ſell, or deliver any Horſe into *Scotland*, or any other Foreign Country, (without the Kings Licence, or for his Service in the Wars) in pain to forfeit ſuch Horſe, and 40 *l.* to be divided betwixt the King and the Proſecutor.

XXII. Wardens of the Marches, and Juſtices of Peace in Seſſions, have power to hear and determine theſe Offences: And it ſhall be lawful for any of the Kings Subjects to Arreſt or Impriſon any *Scotchman* or other that ſhall convey any Horſe contrary to this Act.

XXIII. He that hath the Kings Licence to convey Horſes into *Scotland*, ſhall (before he ſo convey them) ſhew his Licence to one of the Wardens of the Marches, (to the end that the number of them may be Kalendred) in pain to forfeit his Horſes or the double value of them, to be divided betwixt the King and the Proſecutor.

XXIV. This Act ſhall not reſtrain the Warden of the Cinque-Ports to give ſix Horſes or Geldings, and no more, to any perſon beyond Sea, being within the Kings Amity: neither ſhall it Impeach the Maſter of the Kings Horſes in any Commodity that concerns his Office; nor any other for conveying beyond Sea Mares not exceeding the value of 10 *s.*

XXV. Stat. 8 *Eliz.* 8. The Statute of 32 *H.* 8. 13. ſhall not reſtrain the keeping of Stoned Horſes of a lower ſtature in the Fen-Grounds of the Iſle of *Ely*, and of the Counties of *Cambridge*, *Huntington*, *Northampton*, *Lincoln*, *Norfolk* or *Suffolk*, ſo that the Horſes there kept be not under thirteen Hands high.

XXVI. Stat. 21 *Jac.* 1. 28. The Statute of 32 *H.* 8. 13. ſhall not extend to the County of *Cornwall*.

Hoſpitals and Hoſpitallers.

I. Stat. 2 *H.* 5. *Stat.* 1. *cap.* 1. The Ordinary ſhall have power to enquire of, and reform the Foundation, Eſtate and Government of Hoſpitals: *viz.* Thoſe of the Kings Patronage or Foundation, by Commiſſion, and ſhall return the Inquiſitions thereof into the *Chancery*; but for thoſe of others he ſhall do it *Ex Officio*.

II. Stat. 2 *H.* 6. 2. That the Hoſpital of S. *Leonards* in *York* may gather their Thraves of Corn as formerly, and upon denial have an Action of Debt for the ſame. *See the Statute.*

III. Stat. 13 *Eliz.* 17. That the Earl of *Leiceſter* may Found an Hoſpital in *Warwick* or *Kenelworth*, for relief of poor impotent People; which Hoſpital ſhall have capacity to purchaſe Lands in any County of *England*, not exceeding 200 *l. per annum*, and not holden of the Queen by Knight-Service *in Capite*, or by Knight-Service not in Chief.

IV. Stat. 14 *Eliz. not Printed*, for the aſſurance of all Grants made and to be made for the Poor in Hoſpitals, *&c.*

V. Stat. 18 *Eliz.* Two Acts were made, *but not Printed*, the one for the Hoſpital of St. *Croſs* near *Winchester*, and the other for one at *Leiceſter*.

VI. Stat. 27 *Eliz.* Alſo two Acts, (*not Printed*) the one for the Hoſpital of *Chriſt* at *Sherborn* in the Biſhoprick, and the other for that of *Eaſtbridge* in *Canterbury*.

VII. Stat. 39 *Eliz.* 5. It ſhall be lawful for any perſon within twenty

twenty years next enſuing, (by Deed Enrolled in *Chancery*) to Erect and Found an Hoſpital, or Houſe of Correction, to have the ſame continue for ever, and for him, his Heirs and Aſſigns, to place ſuch Heads and Members, and ſuch number of Poor as they pleaſe; which ſaid Hoſpital or Houſe ſo Founded ſhall be Incorporated, and have perpetual Succeſſion for ever; which Corporation ſhall have power to purchaſe Goods and Chattels, alſo Lands not exceeding the value of 200 *l. per annum*, nor held by Knights Service, or in Chief of the Queen; and all this without Licence, or the Writ of *Ad quod damnum*, the Statute of *Mortmain*, or of any other to the contrary.

VIII. They ſhall alſo have power to Sue and be Sued in all Courts, and to have ſuch a common Seal or Seals as the Founder, his Heirs or Aſſigns ſhall appoint, by which they may Seal all Inſtruments which concern the ſaid Corporation.

IX. They ſhall alſo be Viſited and Ordered by ſuch Perſon or Perſons as the ſaid Founders, their Heirs or Aſſigns ſhall nominate, according to the Statutes of the Foundation, being not repugnant to the Laws and Statutes of this Realm: Howbeit the Founder, his Heirs and Aſſigns, upon the death or removal of any Head or Member, ſhall have power to place another in their ſtead.

X. Provided, That all Leaſes and Eſtates made by any ſuch Corporation for above one and twenty years, and that in poſſeſſion, and whereupon the accuſtomed yearly Rent for the greater part of twenty years before ſhall not be reſerved, and yearly payable, ſhall be void.

XI. The right of all perſons, ſave of the Founders, their Heirs and Succeſſors, is ſaved.

XII. This Act ſhall not enable Infants, Femes-covert without their Huſbands, or perſons not of *ſane* memory, to make ſuch Corporations, or to Endow the ſame.

XIII. No ſuch Corporation ſhall be made, unleſs the ſame be (upon the Foundation thereof) Endowed with Lands of the clear yearly value of 10 *l. per annum*.

XIV. Provided, That the Corporations aforeſaid ſhall not by force of this Act do or ſuffer to be done any thing in prejudice thereof; but ſuch conſtruction ſhall be made thereof as ſhall be moſt beneficial for the maintenance of the Poor, and for avoiding of all Devices which may be invented or put in ure contrary to the true meaning thereof.

XV. Stat. 39 *Eliz.* 6. Commiſſions may be awarded to certain perſons to enquire of Lands or Goods given to Hoſpitals, or other charitable Uſes, miſ-employed, and to reform them. *But this Act was afterwards Repealed by* 43 Eliz. 4. *ſaving for the Execution of Orders and Decrees before made by Commiſſioners according to the Statute.*

XVI. Stat. 43 *Eliz.* 4. It ſhall be lawful for the Lord-Chancellor or Keeper for the time being, and for the Chancellor of the Dutchy of *Lancaſter*, (within that Precinct) to award Commiſſions

into any part of the Realm, reſpectively to the Biſhop there and his Chancellor, (if any at that time) and to other perſons of good behaviour, authorizing four or more of them to enquire as well by the Oaths of twelve or more lawful Men, as otherwiſe, of all Grants, Giſts, Augmentations, Limitations and Appointments, and of all Abuſes and Miſ employments of all Lands, Tenements and Hereditaments, and of all Goods and Chattels given, limited or appointed to charitable Uſes.

XVII. The Commiſſioners having called the parties intereſſed, made enquiry by the Oaths of ſuch twelve Men or more, (unto whom lawful challenge may be made by the parties ſo intereſſed,) and ſet down ſuch Orders and Decrees therein, that the things ſo given to charitable Uſes may be faithfully employed, the Orders and Decrees ſo made (being not repugnant to the Statutes of the Founders or Donors) ſhall ſtand firm, and be executed accordingly, until they ſhall be altered by the Chancellor, Keeper, or Chancellor of the ſaid Dutchy reſpectively, upon complaint made to them thereof by the party grieved.

XVIII. This Act ſhall not extend to any thing given to any Hall or Colledge in the Univerſities, or to the Colledges of *Weſtminſter*, *Eaton* or *Wincheſter*, or to any Cathedral Church, or to any City or Town Corporate, or to any Lands or Tenements given to the Uſes aforeſaid in any ſuch City or Town, where there is a ſpecial Governour or Governours to govern things diſpoſed to ſuch Uſes, or to any Colledge, Hoſpital or Free-ſchool, having ſpecial Viſitors or Governours appointed by the Founders.

XIX. This Act ſhall not be prejudicial to the Ordinary or his Juriſdiction.

XX. None having the thing in queſtion, or pretending Title thereunto, ſhall be either Commiſſioner or Juror.

XXI. This Act ſhall not Impeach any Purchaſer (*bona fide*) of things given to charitable Uſes, not having notice thereof: Howbeit (in that caſe) the party or parties who have broken their Truſt in ſelling the ſame, their Heirs, Executors and Adminiſtrators, ſhall make ſatisfaction by the Decree of the ſaid Commiſſioners, if they have left Aſſets, or ſo far as the Aſſets ſo left ſhall extend.

XXII. The Commiſſioners ſhall not meddle with any Lands conveyed or come to the hands of *H.* 8. *Ed.* 6. *Qu. Mary* or *Qu. Eliz.* unleſs the Grant to charitable Uſes were made ſince the beginning of Queen *Elizabeths* Reign.

XXIII. The Orders, Judgments and Decrees ſhall be certified into the Chancery or Dutchy Court (as the caſe ſhall require) under the Commiſſioners Seals within ſuch times as ſhall be limited in their Commiſſions: And the ſaid Lord Chancellor, Keeper, or Chancellor of the Dutchy, (reſpectively) ſhall take ſuch order for the due execution of the ſaid Decrees as to them ſhall ſeem fit.

XXIV. If the party againſt whom the Decree is paſt, conceive him-

himſelf injured thereby, upon complaint thereof to the ſaid Chancellor, Keeper, or Chancellor of the Dutchy, (reſpectively) he ſhall have redreſs, if there be cauſe; but if not, they ſhall award good Coſts againſt him for complaining without cauſe.

Hounslo-Heath.

I. Stat. 37 *H.* 8. 2. *Hounſlo-Heath in Com. Midd.* which contains 4293 Acres and one Rod of Ground extending into ſeveral Pariſhes, ſo much thereof as is the Kings Inheritance, and is meet for Tillage, Paſture, Meadow, or other ſeveral Ground ſhall be of the nature and condition of Copy-hold Land; or the ſame may be Lett by the Steward of the Mannor at will, or for twenty one years, which the Leſſee ſhall and may improve.

Hull.

I. Stat. 33 *H.* 8. 33. The Statute of 27 *H.* 8. 3. (which was made for the taking away of certain Cuſtoms that the Mayor and Commonalty of *Hull* took for Fiſh) is repealed; but by this they may take of every perſon priviledged, for a Laſt of Herring 20 *d.* for an hundred of Salt-fiſh 4 *d.* and for a Laſt of Sprats 8 *d.* and of one not priviledged, for a Laſt of Herring 2 *s.* 4 *d.* for an hundred of Salt-fiſh 4 *d.* and for a Laſt of Sprats 8 *d.* as they did before.

Hundreds.

I. Artic. ſuper Chart. 14. 28 *E.* 1. Balliwicks and Hundreds ſhall not be Lett to Farm at over-great Sums, whereby the People may be over-charged by making Contributions to ſuch Farms.

☞ Hunters and Hunting.

* ☞ I. Stat. 13 *R.* 2. 13. No Lay-man who hath not Lands of 40 *s. per annum*, nor Clerk who hath not 10 *l.* Revenue *per annum*, ſhall have or keep any Grey-hound, Hound, Dog, Ferret, Net or Engine, to deſtroy Deer, Hares, Conies, or any other Gentlemans Game, in pain of one whole years Impriſonment, which Juſtices of Peace ſhall have power to inflict.

II. Stat. 19 *H.* 7. 11. None ſhall keep any Deer-hays or Buck-ſtalls, ſave in his own Foreſt or Park, in pain to forfeit for every month they are ſo kept, 40 *s.* neither ſhall any ſtalk with any Buſh or Beaſt to any Deer, except in his own Foreſt or Park, in pain of 10 *l.*

III. None ſhall take an old Heron without his own Ground, in pain of 6 *s.* 8 *d.* nor a young Heron, in pain of 18 *s.* for which Forfeitures every Man that will may Sue by Action of Debt, or otherwiſe.

☞ IV. Any two Juſtices of Peace in Seſſions may examine the Offenders aforeſaid, and commit them to Priſon till they have ſatisfied the ſaid Forfeitures, whereof the ſaid Juſtices are to have the tenth part.

☞ * V. Stat. 14. 15 *H.* 8. 10. None ſhall trace, deſtroy or kill any Hare in the Snow: and Juſtices of Peace in Seſſions, and Stewards in Leets, have power to enquire of ſuch Offenders, and ſhall Aſſeſs upon every ſuch Offender 6 *s.* 8 *d.* which Penalty Aſſeſſed in Seſſions ſhall go to the King; but in a Leet, to the Lord thereof.

* VI. Stat. 3. *Jac.* 1. 13. None ſhall (without the Owners Licence) kill or chaſe any Deer or Conies in any Parks or incloſed Grounds, in pain to ſuffer three months Impriſonment, to pay treble Damages to the party grieved, to be Aſſeſſed by the Juſtices before whom he ſhall be Convict after the ſaid three months expired, and to be bound with two good Sureties to the good Behaviour for ſeven years, or to remain ſtill in Priſon till he find ſuch Sureties: but here the party grieved (being ſatisfied) hath liberty to releaſe the Behaviour.

☞ VII. Juſtices of *Oyer* and *Terminer*, Aſſiſe and Peace in Seſſions, have power to hear and determine theſe Offences; and Juſtices of Peace in Seſſions (upon Confeſſion and Satisfaction to the party grieved) have power to releaſe the Behaviour.

VIII. If any perſon, not having 40 *l. per annum* in Lands, or 200 *l.* in Goods, or ſome incloſed Ground uſed for Deer or Conies worth 40 *s. per annum* at leaſt, ſhall uſe any Gun, Bow, or Croſs-bow, to kill any Deer or Conies, or ſhall keep any Buck-ſtall, Ferret, Dog, Net, or other Engine, it ſhall be lawful for any perſon (having Lands worth 100 *l. per annum*) to take ſuch Gun, &c. from any ſuch perſon, and to convert the ſame to his own uſe.

IX. This Act ſhall not extend to any Park or incloſed Ground hereafter to be made or uſed for Deer or Conies, without the Kings Licence.

X. Stat. 7 *Jac.* 1. 13. It ſhall be in the election of the party grieved, whether he will take for ſatisfaction 10 *l.* in Money, or treble Damages, as by the Statute of 3 *Jac.* 13. is limited.

* XI. Stat. 13 *Car.* 2. *cap.* 10. They that courſe, kill, hurt, or take away red or fallow Deer in any Ground where Deer are kept, without conſent of the Owner, or perſon chiefly entruſted therewith, or are aiding therein, if Convicted by Confeſſion or Oath of one Witneſs before one Juſtice of Peace, being proſecuted within ſix months after the Offence done, ſhall forfeit 20 *l.* to be Levied by Diſtreſs by Warrant under the ſaid Juſtices Hand; one moiety whereof to the Informer, the other to the Owner of the Deer: and for want of ſuch Diſtreſs ſhall be committed to the Houſe of Correction ſix months, or the common Gaol for a year, and not be Diſcharged till Security given for their good Behaviour one year after their Enlargement.

XII. None

XII. None punished by virtue of this Act, shall incur the Penalty of any other Law for the same Offence.

XIII. Stat. 22 & 23 *Car.* 2. *cap.* 25. Lords of Mannors or other Royalties not under the Degree of an Esquire, may by Writing under their Hands and Seals authorize one or more Game-keepers, who may seise all Guns, Bows, Greyhounds, Setting dogs, Lurchers, or other Dogs to kill Hares or Conies, Ferrets, Tramels, Lowbels, Hayes, or other Nets, Hare-pipes, Snares, or other Engines for taking Conies, Hares, Pheasants, Partridges, or other Game, used within such Mannors by persons prohibited by this Act to use the same. Such Game-keepers and others, by Warrant from a Justice of Peace, may search the Houses of such persons so prohibited, as shall be suspected to keep such Guns, Bows, &c. and seise them for the use of the Lord of the Mannor, or otherwise destroy them.

XIV. Persons not having Lands, or some other Estate of Inheritance in their own or in their Wives Right, of 100 *l. per annum*, or for Life, or Lease for Ninety nine years of 150 *l. per annum*, other than the Son and Heir of an Esquire, or other person of higher Degree, and Owners and Keepers of Forests, Parks, Chases, or Warrens, Stocked with Deer or Conies, in respect of the said Forests, &c. are declared to be persons not allowed to keep any Guns, Bows, &c.

XV. If any man shall enter wrongfully into Ground kept for breeding Conies, though not inclosed, and chase, take, or kill any against the Owners will, and be thereof Convicted in manner following; they shall render treble Damages and Costs, and be Imprisoned three months, and till they find Sureties for their good Abearing.

XVI. Persons that kill or take in the night-time Conies upon the Borders of Warrens, or on other Grounds used for keeping Conies, except Owners, &c. shall make such Recompence, and within such time as shall be appointed by the Justice of Peace before whom they shall be Convicted, and pay to the Overseers for the Poor of the Parish where the Offence shall be committed, such Sum as the said Justice shall think fit, not exceeding 10 *s.* in default whereof they shall be committed to the House of Correction, for any time not exceeding a month, and they that use Snares, Hare-pipes, and other Engines, shall be liable to the same Penalties.

XVII. If any persons shall take any Fish by any Device whatsoever in any several Water or River, or shall be assisting thereunto, without consent of the Owner of the said Water, and be thereof, or of any other Offence mentioned in this Act, Convict by Confession or Oath of one Witness within a month after the Offence committed, before any Justice of Peace of the County or Place; every such Offender in stealing, taking, or killing Fish, shall give such Recompence, and within such time as the Justice shall appoint, not exceeding treble Damages; and pay down presently to the Overseers

Overseers for the Poor of the Parish where the Offence shall be committed, such sum as the Justice shall think meet, not exceeding 10 s. in default of payment, the same to be Levied by Distress and Sale of Goods by Warrant of such Justice: and for want of a Distress, the Offender to be Committed, not exceeding 2 months time, unless he enter into Bond with one or more Sureties to the party injured, not exceeding Ten pounds, never to offend in like manner.

XVIII. The Justice before whom such Offender shall be Convict, may destroy all the Engines wherewith he shall be apprehended or taken.

XIX. Persons aggrieved by any Judgment by virtue of this Act, may appeal to the next Quarter-Sessions, whose Order shall be final, if no Title to any Land, Royalty or Fishery be therein concerned.

XX. This Act shall not abridge any Royalty or Prerogative Royal of the King, nor any part of the Forest Laws of this Realm.

Husbandry.

I. Stat. 4 *Jac.* 1. 11. The Owners and Farmers of Lands in *Marden, Bodenham, Willington, Sutton S. Michael, Sutton S. Nicholas, Murton* upon *Lugge*, and *Pipe* in the Coune of *Hereford*, may inclose some part thereof; with divers other Provisions for the better improvement of those Places. *For which see the Statute at large.*

II. Stat. 7 *Jac.* 1. 18. All persons within *Devon* and *Cornwall* may fetch Sea-sand for the bettering of their Land.

III. Boatmen may fetch Sea-sand and cast it out of their Boats where it hath been used to be Landed, and carry the same through usual ways. *See the Statute.*

IV. Stat. 15 *Car.* 2. *cap.* 7. *Vide* Trade.

Identitate Nominis.

I. Stat. 37 *E.* 3. 2. IF the Lands, Goods or Chattels, of any person (Outlawed for want of a good declaration of his Sur-name) shall happen to be seised by any of the Kings Officers, he may have a Writ of *Identitate Nominis* to discharge them, as hath been used in times past. And in such case the Officer shall take Security without Fee of the party, to answer to the King the value of the thing so seised, if he cannot discharge them: And if the Officer be Attainted of doing otherwise, he shall pay double Damages to the party grieved, and be also grievously punished to the King.

II. Stat.

II. Stat. 9 H. 6. 4. A Writ of *Identitate Nominis* ſhall be maintainable by Executors, as well as by the Teſtator himſelf if he were living.

Jeofail.

I. Stat. 32 H. 8. cap. 30. After an Iſſue tried, there ſhall be Judgment given, notwithſtanding any Jeofail or Miſ-pleading.

II. Stat. 18 Eliz. 14. After Verdict given in any Court of Record, there ſhall be no ſtay of Judgment, or reverſing thereof for want of form in any Writ Original or Judicial, Count, Declaration, Plaint, Bill, Suit, or Demand, or for want of any Writ Original or Judicial, or by reaſon of any imperfect or inſufficient Return of the Sheriff or other Officer, or for want of any Warrant of Attorney, or for any default in progreſs upon or after *Aid Prayer* or *Voucher*.

III. This Act ſhall not extend to any Writ, Declaration, or Suit of Appeal of Felony or Murther, or to any Indictment or Preſentment of Felony, Murther, Treaſon, or other Matter, or to any Proceſs upon any of them, or to any Writ, Bill, Action, or Information upon any Penal Statute.

IV. Provided, That all Attorneys in any Suit in a Court of Record, ſhall deliver in the Warrant of Attorney in ſuch Suit, to be Entred or Filed of Record, as by the Law and Statutes of this Realm they ought to do, in pain to forfeit 10 l. to be divided betwixt the Queen and the Officers where the Warrant ſhould have been ſo Filed, and to ſuffer Impriſonment by the diſcretion of the Juſtices of the Court where the Default is made.

V. Stat. 21 Jac. 1. 13. After Verdict given in any Court of Record, the Judgment thereupon ſhall not be ſtayed or reverſed for any variance in form only between the Original Writ or Bill, and the Declaration, Plaint, or Demand; or for lack of an Averment of the parties Life or Lives, ſo as it be proved he or they be in life; or for that the *Venire facias*, *Habeas Corpus*, or *Diſtringas*, was Awarded to a wrong Officer, upon any inſufficient ſuggeſtion; or that the *Viſne* was in ſome part miſ-awarded, or Sued out of more or fewer places than it ought to be, ſo as ſome one place be right named; or for miſ-naming any of the Jurors, either in the Surname or Addition, in any of the Writs or Returns thereof, ſo as *Conſtat de perſona*; or for want of a Return of any of the ſaid Writs, ſo as a Pannel be returned and annexed thereunto; or for that the Officers Name is not ſet to the Return, ſo as it appear by Proof that the Writ was returned by him; or by reaſon that the Plaintiff in an *Ejectione firmæ*, or in any Perſonal Action, being under Age, did appear by Attorney, and the Verdict paſs for him.

VI. This Act ſhall not extend to any Writ, Declaration, or Suit of Appeal of Felony or Murther, nor to any Indictment or Preſentment of Felony, Murder, or Treaſon, nor to any Proceſs upon any of

of them, nor to any Writ, Bill, Action, or Information upon any Penal Statute.

VII. Stat. 16 & 17 *Car.* 2. *cap.* 8. After a Verdict, Judgment ſhall not be ſtayed nor reverſed in the Kings Courts of Record at *Weſtminſter*, Courts of Record in the Counties Palatine of *Lancaſter*, *Cheſter*, or *Durham*, or of the great Seſſions in any the twelve Shires of *Wales*; for want of Form, or for want of Pledges; for not producing any Deed, or Letters of Adminiſtration; for want of *Vi & armis*, or *Contra pacem*; or for miſtaking the Chriſtian name or Surname of either party, Sum of Money, Day, Month, or Year, being rightly named in any Record preceding, or in the ſame Record, whereto the Defendant might have demurred; nor for want of *Hoc paratus eſt verificare*, or *Hoc paratus eſt verificare per Record.* or *Prout patet per Recordum*; or for that there is no right Venue, ſo the Cauſe were tried by a Jury of the County or Place where the Action is laid. Nor ſhall any Judgment after Verdict, Confeſſion by *Cognovit Actionem*, or *Relicta verificatione*, be Reverſed for want of a *Miſerecord.* or a *Capiatur*, or becauſe one is put for the other, nor for that *Ideo conceſſum eſt, &c.* is Entred for *Ideo conſideratum eſt*; nor for that the increaſe of Coſts after a Verdict in an Action, or upon a Non-ſuit in *Replev.* are not Entred at the requeſt of the party for whom the Judgment is given, nor Coſts in any Judgment Entred by conſent of the Plaintiff, and all Defects of the like nature ſhall be amended.

VIII. This Act ſhall not extend to Appeals of Felony or Murther, Indictments, Preſentments, Suits upon Penal Statutes, other than concerning Cuſtoms and Subſidies of Tunnage and Poundage.

IX. This Act ſhall continue for three years, and to the end of the next Seſſion of Parliament after. Made perpetual 22 & 23 *Car.* 2. *cap.* 4.

Isle of Wight, &c.

I. Stat. 4 *H.* 7. 16. None ſhall take more Farms than one in the *Iſle of Wight*, which one ſhall not exceed ten Marks in yearly value, in pain of 10 *l.*

II. If any have ſeveral Farms above that value, he ſhall keep one or more of them at his election, ſo as what he keeps exceeds not that value.

III. Such as have been at charge with their Farms in Fines or Repairs, ſhall be indemnified.

Incontinency of Prieſts.

I. Stat. 1 *H.* 7. 4. The Ordinary ſhall puniſh Prieſts, Clerks, and Religious Men for Incontinency, by Impriſonment, according to the quantity and quality of their Treſpaſs.

Incumbent.

Incumbent.

I. Stat. 13 *R.* 2. 1. The Statute *de Clero*, 25 *E.* 3. 3. touching the Examination of the Kings Title to a Benefice, when he Preſenteth in anothers Right, is Confirmed: *Which ſee in* Advowſon.

II. When the King preſenteth to a Benefice full of an Incumbent, his Preſentee ſhall not be received by the Ordinary, until the King hath recovered his Preſentment by Law.

III. If the Kings Preſentee be received, and the Incumbent put out without Proceſs, the Incumbent ſhall begin his Suit within a year after the Induction of the ſaid Preſentee.

IV. Stat. 4 *H.* 4. 22. Where an Incumbent is put out without due Proceſs, he ſhall be at large to ſue for his Remedy by the Statute of 13 *R.* 2. 1. at what time he pleaſeth within or after the year.

Indicavit.

I. Stat. 34 *E.* 1. No Writ of *Indicavit* ſhall be granted before the Suit hanging in the Spiritual Court between the Parties, be Recorded, and that the Lord Chancellor be certified thereof by the ſight of the Libel.

☞ Indictments.

I. Weſt. 2 *cap.* 13. 13 *E.* 1. Sheriffs, Bailiffs of Franchiſes, and others that take Inqueſts of Malefactors, ſhall do it by at leaſt twelve lawful Men, who ſhall put their Seals to ſuch Inquiſitions, and the ſaid Officers ſhall Impriſon ſuch Malefactors.

II. If they Impriſon any without ſuch Inqueſts, the party grieved ſhall maintain an Action of falſe Impriſonment againſt them.

III. Stat. 1 *E.* 3. *Stat.* 2. *cap.* 17. Sheriffs, Bailiffs of Franchiſes, and other who take Indictments, ſhall do it by Roll Indented, whereof one part ſhall remain with the Indictors, and the other with him that takes them; ſo as one of the Inqueſt may have one part thereof to ſhew to the Juſtices when they come to make Deliverance.

IV. Stat. 25 *E.* 3. *Stat.* 5. 14. After one is Indicted for Felony before the Juſtices of *Oyer* and *Terminer*, the Sheriff ſhall be commanded to Attach his Body by a *Capias*; and if the Sheriff return a *Non eſt inventus*, another *Capias* ſhall iſſue out (returnable in three weeks) whereby the Sheriff ſhall have power to ſeiſe his Chattels, and to keep them until the ſaid return; and then alſo if the Sheriff return a *Non eſt inventus*, an Exigent ſhall be Awarded, and the Chattels ſhall be forfeit: but if he yield himſelf, or be taken by the Sheriff or other Officer, before the return of the ſecond *Capias*, his Goods and Chattels ſhall be ſaved.

V. Stat.

V. Stat. 11 *H.* 4. 9. No Indictments ſhall be made but by Inqueſt of lawful Men returned by Sheriffs, Bailiffs of Franchiſes, or other Officers who ought to do it, without having them nominated by other perſons to the ſaid Officers: and all Indictments otherwiſe found, ſhall be void.

VI. Stat. 3 *H.* 7. 1. *pars inde.* Juſtices of Peace may take (by diſcretion) an Inqueſt, whereof every man ſhall have Lands of the yearly value of 40 *s.* to enquire the concealments of a former Inqueſt, taken before them or others, of matters Inquirable or preſentable before them, and whereof complaint ſhall be made by Bill.

VII. Stat. 37 *H.* 8. 8. *pars inde.* Theſe words, *Vi & armis*, viz. *Cum baculis, cultellis, arcubus & ſagittis*, or the like, ſhall not of neceſſity be put into any Inquiſition or Indictment, but they ſhall be adjudged good notwithſtanding thoſe words are therein omitted.

☞ Infections.

* I. Stat. 12 *R.* 2. 13. None ſhall cauſe to be caſt any Garbage, Dung, Intrails, or any other Annoyace, into the Ditches, Rivers, Waters, or other Places within or near any City, Burrough, or Towns, or the Suburbs thereof, in pain to be called by Writ before the Chancellor; and, if found guilty, to be puniſhed at his diſcretion.

☞ Informers.

I. Stat. 18 *Eliz.* 5. An Informer ſhall exhibit his Suit in proper perſon, and purſue it by himſelf, or by his Attorney in Court, and that by way of Information, or Original Action, and ſhall have no Deputy: and all this in pain of 10 *l.* and the Pillory.

II. A Note of the time of exhibiting the Information ſhall be truly taken, and from thenceforth it ſhall be accounted to be of Record; before which time no Proceſs ſhall iſſue out upon it.

III. The Clerk that makes out the Proceſs ſhall Indorſe the Informers Name, and alſo the Statute upon which the Information is grounded, in pain of 40 *s.*

IV. No Jury ſhall appear at *Weſtminſter* for a Trial upon any Penal Law, when the Offence was committed above thirty miles from *Weſtminſter*, except the Attorney-General, for ſome reaſonable cauſe require the ſame.

V. No Informer ſhall compound with any Defendant before Anſwer, nor then but by conſent of Court, in pain of 10 *l.* and the Pillory.

VI. Where the Informer delays or diſcontinues his Suit, or otherwiſe is Non-ſuit or Overthrown, the Court ſhall aſſign Coſts to the Defendants, to be immediately Levied by Execution iſſuing out of the ſame Court.

VII. Juſtices of *Oyer* and *Terminer*, Aſſiſe, and Peace in their Seſſions,

ſions, have power to hear and determine theſe Offences.

VIII. This Act ſhall not reſtrain Actions brought for Maintenance, Champerty, buying of Title, or Imbracery, nor any certain Perſon or Body Politick to whom any Forfeiture or Penalty is ſpecially limited, nor certain Officers who have lawfully uſed to exhibit Informations.

IX. Stat. 29 *Eliz.* 5. *in fine.* If any ſhall be Sued upon any Penal Law in the Kings Bench, Common Pleas, or Exchequer, where ſuch perſon is Bailable by Law, or may appear by Attorney, the perſon ſo Sued ſhall at the day contained in the firſt Proceſs appear by Attorney to defend the ſame, and ſhall not be urged to perſonal Appearance, or to put in Bail to anſwer the ſame.

X. Stat. 31 *Eliz.* 10. The ſaid Clauſe of 29 *Eliz.* 5. ſhall only extend to natural-born Subjects, or free Denizens, and none others.

☞ Inrolments.

I. Stat. 6 *R.* 2. 4. Deeds that were Inrolled, and late torn or imbezled by Rebels in the late Inſurrection, being Exemplified, ſhall be of the ſame force as the Deeds themſelves would have been if they had been extant.

II. Stat. 27 *H.* 8. 16. Bargains and Sales to an uſe of Inheritance of Free-hold muſt be by Deed Indented and Inrolled within ſix months after the Date thereof, in ſome Court of Record at *Weſtminſter*, or in the County where the Land lieth, before the *Cuſtos Rotulorum*, two Juſtices of Peace, and the Clerk of the Peace, or two of them, whereof the Clerk to be one. And here the Fee to be paid for ſuch Inrolment, when the Land is not worth 40 *s. per annum*, is 2 *s.* and when it is more, 10 *s.* to be equally divided betwixt the Juſtice or Juſtices then preſent, and the Clerk of the Peace, who ought to Inroll them in Parchment, and to deliver them unto the *Cuſtos Rotulorum* within one year after.

III. This Act ſhall not extend to Lands, Tenements or Hereditaments in Corporations, where an Officer or Officers there have lawfully uſed to Inroll Deeds or other Writings.

IV. Stat. 34, 35 *H.* 8. 22. All Recoveries, Deeds Inrolled, and Releaſes acknowledged or taken before any Officer or Officers of any Corporation, having authority to receive the ſame, ſhall remain in force, notwithſtanding the Statute of 32 *H.* 8. 28. *which ſee in* Leaſes.

V. Stat. 5 *Eliz.* 26. All Inrolments of ſuch Writings Indented as are mentioned in the Statute of 27 *H.* 8. 16. of Lands, *&c.* in the Counties of *Lancaſter*, *Cheſter*, and the Biſhoprick of *Durham*, being Inrolled within ſix months after the Date thereof, (*viz.* thoſe in *Lancaſhire* in the Chancery at *Lancaſter*, or before the Juſtices of Aſſiſe there; thoſe in *Cheſhire* in the Exchequer at *Cheſter*, or before the Juſtices of Aſſiſe there; and thoſe in the Biſhoprick in the Chancery at *Durham*, or before the Juſtices of Aſſiſe there) ſhall

be

be as good in Law, as if they were Inrolled in any of the Courts at *Weſtminſter*.

Intruſion.

I. Prerog. Reg. *Cap.* 13. 17. *E.* 2. When the Kings Tenant in chief dies, and his heir enters into the Land before he hath done Homage to, or received Seiſin of the King, he ſhall thereby gain no Free-hold; and if he die ſeiſed during that time, his Wife ſhall not be Endowed thereof: as it fell out in the Caſe of the Wife of *Manſel* the Marſhal.

II. Stat. 21 *Jac.* 1. 14. When the King, or any claiming under his Title, ſhall be out of poſſeſſion, or not have received the Profits of Lands, *&c.* within the ſpace of twenty years before any Information of Intruſion brought to recover the ſame; in this caſe the Defendant ſhall plead the General Iſſue, if he think fit, and ſhall not be preſſed to plead eſpecially, and ſhall alſo retain the poſſeſſion thereof, until the Title be found for the King.

III. Where an Information of Intruſion may fitly be brought on the Kings behalf, no *Scire facias* ſhall iſſue, whereupon the Subject ſhall be forced to a ſpecial Pleading, and be deprived of the Grace intended by this Act.

Ipſwich.

I. Stat. 13 *Eliz.* 24. The Streets of *Ipſwich* in the County of *Suffolk*, and of the Suburbs thereof, ſhall be Paved with good Paving-ſtone, and for ever be repaired by the Owners, Landlords or Terre-tenants along from and againſt their Houſes, Lands and Tenements adjoyning to the Street, *viz.* ſo much of the ſaid Street in length as his Houſe, Lands, *&c.* ſo adjoyning extend unto, and in breadth during all the length to the Channel, or to ſuch place as the Channel there ſhall be appointed by the Bailiffs to extend unto: in pain to forfeit for every yard ſquare not ſufficiently repaired, 8 *d.*

II. The Bailiffs of *Ipſwich*, and the Port-men there, the Churchwardens, and four of every Pariſh, ſhall have Authority to Tax upon every Houſe, Ground, and Tenement there, (Free and Copy) reaſonable Sums of Money to be yearly paid, as well towards the finding of a convenient Stipendary Miniſter within every Pariſh, as for the reparation of the Churches.

Ireland.

I. In the Book of *Magna Charta* is an Ordinance for *Ireland* concerning divers Matters, Entituled, *Ordinatio pro ſtatu Terræ Hiberniæ.*

II. Stat. 17 *E.* 1. *cap.* 1. The Kings Officers in *Ireland* ſhall purchaſe no Land there without the Kings Licence.

III. *Cap.*

III. *Cap.* 2, Kings Officers in *Ireland* ſhall make no purveyance there, but by Writ out of Chancery there, or in *England*, and that in time of neceſſity only, and by the advice of the Council there.

IV. *Cap.* 3. All kind of Merchandiſes may be Exported out of *Ireland*, except to the Kings Enemies; and if any Officer reſtrain them, he ſhall ſatisfie double Damages to the party grieved, and he alſo puniſhed by the King.

V. *Cap.* 4. The Fees for every Bill of Grace in *Ireland* under the Seal of the Juſtice there, ſhall be 4 *d.* for the Bill, and 2 *d.* for the Writing thereof.

VI. *Cap.* 5. The Marſhals Fee for a Priſoner, when he ſhall be delivered, is 4 *d.*

VII. *Cap.* 6. No Pardon of the death of a Man, or other Felony, or for flying for the ſame, ſhall be granted by the Juſtices there, but only at the Kings Command, and under his Seals.

VIII. *Cap.* 7. No Officers there ſhall receive any Original Writ, which is not Sealed by the Seal of *Ireland*, or by the Exchequer-Seal there, of things concerning that Court.

IX. *Cap.* 8. The Juſtices of *Ireland* ſhall not delay or adjourn Aſſiſe of *Novel Diſſeiſin* there, ſave only in the County where he is; and while he ſhall remain there.

X. Stat. 34 *E.* 3. 17. All kind of Merchandiſe may be Exported and Imported out of, and into *Ireland*, as well by Aliens as Denizens.

XI. Stat. 34 *Ed.* 3. 18. All perſons who have Lands and Poſſeſſions in *Irleland*, may freely Import and Export their Commodities thither, and from thence without Impeachment.

XII. Stat. 1 *H.* 6. 3. All *Iriſhmen* ſhall avoid the Kingdom, except Graduates, Beneficed Men, Lawyers having Inheritance in *England*, and *Engliſh* Parents, Religious perſons, profeſſed Merchants, Burgeſſes, and others Inhabitants of good fame, and perſons Married in *England*: and all they ſhall find Surety for the good Abearing.

XIII. No *Iriſhman* ſhall inhabit here in the Univerſities, or elſewhere, without a Teſtimonial under the Seal of the Lieutenant or Juſtices of *Ireland*, (teſtifying that he is of the Kings Obeyſance) to be delivered to the Chancellor here, in pain to be puniſhed as a Rebel.

XIV. No *Iriſhman* ſhall be Head or Governour of any Hall or Houſe.

XV. Stat. 2 *H.* 6. 8. *Iriſhmen* coming to live in *England* ſhall give Surety for their good Abearing: *viz.* in the Univerſities to the Chancellors; in Counties, to the Juſtices of Peace; and in Corporations and other Liberties, to the Head Officers reſpectively.

XVI. Stat. 16, 17 *Car.* 1. 30. An Act for a ſpeedy Contribution and Loan towards the relief of the Kings diſtreſſed Subjects of the Kingdom of *Ireland*. *See the Statute at large.*

XVII. Stat. 16, 17 *Car.* 1. 33. An Act for the ſpeedy and effe-

ctual reducing of the Rebels in *Ireland* to their due Obedience to the King and the Crown of *England*. And *Cap.* 34, 35, & 37. certain other Additional Acts were made for the ſame purpoſe, and for the ſale of forfeited Lands there. *All which ſee at large.*

XVIII. Stat. 32 *Car.* 2. *cap.* 2. The Act made 18 *Car.* 2. Entituled, *An Act againſt Importing Cattel from* Ireland, *and other parts beyond the Seas, and Fiſh taken by Foreiners*, is revived, and power given, not only to Conſtables and Officers, but to every perſon whatſoever, in any place whatſoever, to take and ſeiſe the Cattel and Goods Imported contrary to the ſaid Act; and that ſuch Seiſer ſhall have the Benefit given by this Act.

XIX. And to prevent fraudulent Seiſures, Sales, and Compoſitions, the Seiſers ſhall, within ſix days after Conviction and Forfeiture, cauſe the ſaid Cattel, Sheep, and Swine, to be killed, and the Hides and Tallow ſhall be to the Seiſer, and the remainder of the ſaid Cattel, Sheep, and Swine, ſhall be forthwith diſtributed amongſt the Poor of the Pariſh, by the Churchwardens and Overſeers, upon notice thereof to be given by ſuch Seiſer.

XX. If ſuch Seiſer, Churchwarden, or Overſeer, ſhall fail in the execution of his ſaid Duty, they ſhall ſeverally forfeit 40 *s.* for every one of the great Cattel, and 10 *s.* for every Sheep or Swine which ſhould have been ſo killed and diſtributed, one moiety thereof to the Poor of the Pariſh, and the other to the Informer, to be Levied by Diſtreſs and Sale of the Offenders Goods, by Warrant of any Juſtice of Peace of the County or Place where the Offence is ſo committed, upon Confeſſion of the Party, View of the Juſtices, or Oath of one or more credible Witneſſes, (other than the Informer) the overplus to the Owners, neceſſary Charges of Diſtraining deducted. And for want of Diſtreſs, the Offender to be committed to Gaol for three months without Bail or Mainpriſe.

XXI. *Proviſo*, Not to hinder the Importation of Stock-fiſh, or live Eels.

XXII. That after the ſaid ſecond of *February*, no Mutton or Lamb ſhall be Imported; and that all that ſhall be Imported ſhall be ſubject to the like Seiſures, and the Importers and Sellers to the like Penalties appointed by any former Act againſt the Importer or Seller of any Beef, Pork, or Bacon.

XXIII. That after the ſaid ſecond of *February*, no Butter or Cheeſe ſhall be Imported from *Ireland*; and if Imported, or expoſed to Sale, ſhall be liable to the like Seiſures, and the Importers and Sellers to the like Penalties as are appointed in any former Law againſt the Importer or Importation of Beef, Pork, or Bacon.

XXIV. If any great Cattel, Sheep, or Swine, ſhall be once or oftner ſeiſed, and afterwards by permiſſion, connivance, negligence, or otherwiſe, removed and found alive in any other Pariſh or Place, they ſhall be liable to like Seiſure, and the Seiſer and Poor of the Pariſh or Place to the like Benefit, and the Cattel, Sheep and Swine, be forfeited; and the proof incum-

incumbent upon the Owner, as if ſuch Cattel had never been ſeiſed before.

XXV. If any *Engliſh* or other Cattel, driven or intermixed with *Iriſh* Cattel, ſhall be ſeiſed together with them, ſuch Cattel ſhall be deemed *Iriſh*, and ſhall be ſubject to like Forfeiture, and be ordered and diſpoſed in all reſpects as if they were *Iriſh*.

XXVI. *Proviſo*, That nothing therein ſhall extend to the Forfeiture or Seiſure of any Cattel that are or ſhall be in *England* before the ſaid ſecond of *February*.

☞ Iron.

* I. Stat. 28 *Ed.* 3. 5. Iron made in *England*, or brought into *England* and ſold, ſhall not be Exported, in pain to forfeit the value thereof to the King.

II. Juſtices aſſigned have power to inquire of Labourers: And other Juſtices to be aſſigned by the King ſhall alſo have power to inquire of ſuch as ſell Iron at too dear a Price, and to puniſh them according to the quantity of the Treſpaſs.

☞ Judgments.

I. Stat. 14 *E.* 3. *Stat.* 1. 5. A Prelate, two Earls, and two Barons ſhall have power by the Kings Commiſſion to hear (by Petition) Complaints for delay of Entring Judgments, and to call before them the Juſtices, and Records whereof ſuch Complaint ſhall be made, and calling to them the Chancellor, Treaſurer, the Juſtices of the one Bench or the other, and others of the Kings Council, (as many as they ſhall think fit) ſhall give Judgment thereof; and then the Records ſhall be remanded together with the Judgment, which ſhall be immediately Entred accordingly.

II. In caſe the matter be too difficult, it ſhall be referred to the next Parliament to be determined.

III. Judges and other Officers in Courts of Juſtice may be increaſed or Diminiſhed, as need ſhall require, and when they ſhall enter into their Offices, they ſhall make Oath duly to ſerve the King and his People.

IV. Stat. 4 *H.* 4. 23. Judgments given ſhall continue, and the parties for whom they are ſo given and their Heirs ſhall be in peace until they ſhall be Attaint of Error, if any be.

☞ Jurisdiction.

I. Artic. Cleri. *Cap.* 6. 9 *Ed.* 2. Albeit a Caſe be Debated, and have Judgment in the Spiritual Court, yet the Kings Court may afterwards Diſcuſs the ſame Matter, as the Party ſhall think expedient for himſelf.

II. Stat. *Pro Clero*, 25 *Ed.* 3 *Stat.* 3. *Cap.* 8. Cogniſance of avoidance

voidance of Benefices belongs to the Eccleſiaſtical Judge, and not to the Temporal.

Juris Utrum.

I. Weſt. 2. *Cap.* 24. 13 *E.* 1. A Writ of *Juris utrum* ſhall be granted to try whether free Alms belong to one Church or another, in caſe where they are transferred from one Church to another.

Jurors.

I. Marlbr. *Cap.* 14. 52 *H.* 3. Such as have Charters of Exemption not to be Impannelled upon Juries, ſhall (notwithſtanding their Priviledge) be Sworn upon great Aſſiſes, Perambulations, in Deeds and Writings of Covenants, (where they be named for Witneſſes) and in Attaints, and when their Oaths are ſo requiſite that without them Juſtice cannot be Adminiſtred.

II. West 2. *Cap.* 38. 13 *Ed.* 1. No more Jurors ſhall be ſummoned in one Aſſiſe than twenty four. Alſo old Men above the age of ſeventy, or ſick or diſeaſed, at the time of the Summons, or not dwelling in the Country, ſhall not be put in Juries of petit Aſſiſes; neither ſhall any be put in Aſſiſes or Juries that have not Land worth 20 *s. per annum*; and if the Aſſiſes or Juries be taken out of the County, their Revenue ſhall be 40 *s. per annum* at leaſt, except ſuch as be Witneſſes to Deeds or other Writings, and be able to Travel.

III. This Statute ſhall not extend to great Aſſiſes, where many times Knights are to be Impannelled: for they (by reaſon of their ſcarcity) may Serve, albeit they dwell out of the Country, ſo they have Land in the County for which they Serve.

IV. No Sheriff, Under-ſheriff or Bailiffs ſhall offend againſt this Law, in pain to anſwer Damages to the party, and to be Amerced to the King.

V. Juſtices of Aſſiſe have power to hear and determine theſe Offences.

VI. Stat. 21 *Ed.* 1. *Stat.* 1. None ſhall be Impannelled to Serve out of their proper Counties, unleſs they have Lands worth 5 *l. per annum* at leaſt; nor in the County, unleſs they have Lands worth 40 *s. per annum.*

VII. This Statute ſhall not extend to Juries taken before Juſtices Errant, nor to Corporations; but that they may do as in times paſt.

* VIII. Artic. ſuper Chart. *Cap.* 9. 28 *E.* 1. None ſhall be Impannelled but as is Ordained by Statute, and they ſhall be next Neighbours, moſt ſufficient, and leaſt ſuſpicious; in pain that the Officer who doth otherwiſe, ſhall anſwer double Damages to the party grieved, and be grievouſly Amerced to the King.

IX. Stat.

IX. Stat. 5 *E.* 3. 10. If a Juror take a Bribe of either party, and be thereof Attainted, he ſhall Serve no more of any Jury, be Impriſoned, and Ranſomed at the Kings will; and the Juſtices before whom he Serves, ſhall have power to hear and determine this Offence according to this Statute.

X. Stat. 25 *E.* 3. *Stat.* 5. *cap.* 3. No Indictor ſhall be put upon the Inqueſts, for the deliverance of the Indictee of Felony or Treſpaſs, if he be challenged by the Indictee for that cauſe.

XI. Stat. 34 *E.* 3. 4. Sheriffs and others ſhall array their Pannels of the next People, not ſuſpected nor procured, in pain to be puniſhed by the Juſtices that take ſuch Inqueſts both to the King and the party grieved, according to the quantity of the Treſpaſs and Damage.

XII. Stat. 34 *E.* 3. 8. If any of the Jurors be accuſed by either of the parties for taking a Bribe to give his Verdict, the Juſtices may preſently try it by a Jury then alſo to be taken.

XIII. If he be proſecuted by any other than one of the parties, he ſhall have the Fine; but if by one of the parties, he ſhall recover Damages by the Aſſeſſment of the Inqueſt ſo taken. The Suit may alſo be proſecuted before other Juſtices in form aforeſaid.

XIV. Stat. 2 *H.* 5. *Stat.* 2. *cap.* 3. None ſhall be admitted to paſs in an Inqueſt upon Trial of the death of a Man, or betwixt party and party in any Plea real or perſonal, whereof the Debt or Damage declared amounts to fourty Marks, unleſs he have Lands or Tenements of the yearly value of 40 *s.* beſides Repriſes, Challenge thereof being made by the party.

XV. Stat. 8 *E.* 4. 3. Every Juror Impannelled and Returned within *Middleſex* in any of the Courts at *Weſtminſter*, at every fourth day of the Return thereof ſhall be called, who then appearing, his Appearance ſhall be Recorded, and he ſhall not be Amercied nor loſe Iſſues that day in that Suit.

XVI. No Default, Eſſoin, or other delay of either party (Plaintiff or Defendant) in any perſonal Action (by the Law heretofore uſed) ſhall by this Ordinance be prejudiced or taken away in any manner; but ſhall be adjudged and allowed in as ample manner as they were before the making of this Act.

*XVII. Stat. 1 *R.* 3. 4. No Bailiff or other Officer ſhall Return or Impannel any perſon upon any Inquiry at the Sheriffs Turn, but ſuch as are of good Name and Fame, having Lands and Tenements in the ſame County, *viz.* Free-hold of 20 *s.* and Copy-hold of 26 *s.* 8 *d.* *per annum*; in pain that the Bailiff or other Officer ſhall forfeit for every perſon ſo Returned or Impannelled not of the ſufficiency aforeſaid, 40 *s.* for every time, and the Sheriff 40 *s.* more; which ſaid Forfeitures may be recovered by Action of Debt, and ſhall be divided betwixt the King and the Proſecutor.

XVIII. Stat. 4 *H.* 8. 3. For Iſſues loſt by Jurors in *London*, given to the Mayor and Sheriffs there by the Statute of 11 *H.* 7. 21.

(*which ſee in* Attaint) the ſaid Mayor and Sheriffs and their Succeſſors may Diſtrain reſpectively, *viz.* the Mayor for his, and the Sheriffs for theirs.

XIX. The Sheriffs of *London* have power to return pannels of Jurors in Suits depending in any of the Courts at *Weſtminſter*, and Triable in *London*, being Citizens, and having Goods of the value of a hundred Marks, who ſhall Serve and be Sworn in like manner as if they had Lands and Tenements of 20 *s. per annum.*

* XX. The Sheriffs of *London* ſhall Return upon the firſt Diſtreſs upon every Juror 20 *d.* and upon the ſecond Diſtreſs 40 *d.* and upon every other Diſtreſs after that, the double, until a full Jury appear and be ſworn, in pain of 10 *l.* to be divided betwixt the King and the Proſecutor.

XXI. Stat. 5 *H.* 8. 5. The Statute of 4 *H.* 8. 3. (as to the Iſſues to be ſet upon Jurors) ſhall be underſtood only of Writs of Diſtreſs before Juſtices or Juſtice of *Niſi prius*, in Suits depending in the Courts at *Weſtminſter*, and Triable at St. *Martins le Grand* in the City of *London*, and not of other Writs or Proceſſes iſſuing out of the ſaid Courts,

XXII. Stat. 23 *H.* 8. 13. Trials of Felons in Corporate Towns may be by Free-men of the ſame Corporation worth 40 *l.* in Goods, albeit they have no Free-hold.

XXIII. This Act ſhall not extend to any Knight or Eſquire dwelling or reſorting in or to any ſuch Town.

XXIV. Stat. 35 *H.* 8. 6. Where ſuch perſons as ſhould paſs upon the Trial of any Iſſue in any of the Courts at *Weſtminſter* ought to have Free-hold worth 40 *s. per annum*, the Writs ſhall be in this Form, *Rex*, &c. *Præcipimus*, &c. *quod Venire facias Coram*, &c. 12 *liberos & legales homines*, &c. *quorum quilibet habeat* 40 *ſolid. terr. tenem. vel redd. per annum ad minus, per quos rei veritas*, &c. But when that is not requiſite, the Clauſe, *Quorum quilibet habeat* 40 *ſolid. terr. tenem. vel redd. per annum ad minus*, ſhall be omitted.

XXV. Upon every *Venire facias* that hath the ſaid Clauſe, *Quorum quilibet*, &c. the Sheriff or other Officer ſhall not Return any having leſs than 40 *s. per annum* Free-hold out of ancient Demeſne, and in the ſame County where the Iſſue is to be Tried, in pain to forfeit for every one otherwiſe Returned, 20 *s.* They ſhall alſo return ſix Hundredors at leaſt, if there be ſo many in the Hundred where the Venue lieth, in pain to forfeit for every Hundredor not ſo Returned, 20 *s.* And in every ſuch Writ wherein that Clauſe is omitted, they ſhall not Return any, unleſs he may diſpend ſome Lands or Tenements out of ancient Demeſne, and in the ſaid Hundred, and alſo ſix Hundredors there, upon the like pains.

XXVI. Upon every Writ of *Habeas Corpora*, or *Diſtringas*, with a *Niſi prius*, the ſaid Sheriff or other Officer ſhall Return Iſſue upon

every

every Man as followeth; *viz.* upon the first Writ 5 *s.* upon the second 10 *s.* upon the third 13 *s.* 4 *d.* and upon every other Writ afterwards 26 *s.* 8 *d.* in pain of 5 *l.* XX.

XXVII. In every such Writ of *Habeas Corpora*, or *Distringas*, if a full Jury appear not, or being full, fall short by Challenge, the Justices (upon request of either party) may command the Sheriff or other Officers to name so many others then present as may make the Jury full, who shall be added to the former Pannel, and their Names annexed thereunto.

XXVIII. The parties may have their Challenge to these *Tales de circumstantibus*, and the Justice may proceed to try the Issue by them, together with the others returned, as well as if such *Tales* had been returned upon such *Habas corpora* or *Distringas*, and in such case the Trial shall be as effectual as if it had been tried by twelve of the Jurors returned.

XXIX. If any of the *Tales* being present do not appear, or after appearance withdraw himself, the Justices may set a Fine upon him, to be Levied as Issues of Jurors use by the Common Law.

XXX. Albeit the Jury be made full by the *Tales*, yet the Jurors that made default shall lose Issues, as if the Jury had remained defective for want of Jurors.

XXXI. Upon a reasonable excuse (for default of a Juror) proved by two Witnesses before the Justices, they may discharge the Issues lost, and in that case the Sheriff or other Officer shall not incur the Penalty for not returning Issues: Also upon the not coming of the Justices the Jurors shall be discharged of their Issues, and the Sheriff or other Officer of their Penalties.

XXXII. If upon any *Habeas Corpus* or *Distringas* any Juror be not lawfully Summoned or Distrained, the Sheriff or other Officer shall lose double the Issues returned upon such Juror.

XXXIII. The said Forfeitures (not Iffues) shall be divided betwixt the King and the Prosecutor.

XXXIV. The right of others to Issues so forfeited, is saved.

XXXV. The Act shall not extend to any Sheriff or Minister of a Corporation, so that they return like Issues as before are limited.

XXXVI. Stat. 4 & 5 *P. M.* 7. A *Tales de circumstantibus* may upon request for the King or Queen by any authorised thereunto, or assigned by the Court, or upon request by the Prosecutor or his Attorney, and by the command of the Justices of Assise or *Nisi prius*, be granted in a Suit commenced upon a Penal Statute.

XXXVII. The Statute of 35 *H.* 8. 6. shall be interpreted to give like Advantages to the King and Queen and Prosecutor, as it doth there to the Plaintiff, as if such Suits for the King had been there particularly mentioned.

XXXVIII. Stat. 5 *Eliz.* 25. *Tales de circumstantibus* shall be grantable in the twelve Counties of *Wales*, and the Counties Palatine of *Chester*, *Lancaster*, and *Durham*, being of the same effect with

the Statute of 35 *H.* 8. 6. *See the Statute at large.*

XXXIX. Stat. 14 *Eliz.* 9. In case the Plaintiff or Defendant forbear or refuse to pray a *Tales*, it shall be granted (by the Justices of *Nisi prius* in *England*, or those of *Oyer* or Assise in *Wales*, *Chester*, *Lancaster*, and *Durham*,) at the Prayer of the Defendant or Tenant; and that as well in Suits upon Penal Laws, as upon other Trials.

XL. Stat. 27 *Eliz.* 6. The ability of Jurors returned upon Trials ordained by the Statutes of 2 *H.* 5. *Stat.* 2. *cap.* 3. and 35 *H.* 8. 6. to be 40 *s. per annum*, is increased to 4 *l. per annum*, upon the like pain of 20 *s.* to be forfeited by the Sheriff or other Officer for every Juror otherwise returned; and in that respect the Writs shall be *Quorum quilibet habet quatuor libras*, &c.

XLI. Here the Issues to be returned shall be as followeth, *viz.* upon the first Writ 10 *s.* upon the second 20 *s.* upon the third 30 *s.* and the double of 30 *s.* afterwards, until a full Jury be sworn, or the process otherwise cease: in pain that the Sheriff or other Officer shall forfeit 5 *l.* for every Juror returned with less issues set upon him.

XLII. Upon issues lost by a failer of lawful summons the Sheriff or other Officer shall forfeit the double issues.

XLIII. The Sheriff or other Officer that takes a bribe, and agrees to take it directly or indirectly, for the sparing of a Juror, shall forfeit 5 *l.* to be divided betwixt the Queen and the Prosecutor.

XLIV. Upon any Tryal two Hundredors shall be hereafter deemed sufficient, notwithstanding any challenge hereafter to be made against the same.

XLV. All lawful challenges shall be admitted, notwithstanding this Act; neither shall it extend to Juries in Corporations or *Wales*.

XLVI. Stat. 16 & 17 *Car.* 2. *cap.* 3. An Act for the returning of able and sufficient Jurors. *Exp.*

☞ Justice and Right, and Justices.

I. Stat. 2 *Ed.* 3. 8. No command shall be made under the great or little seal to disturb or delay common right, and the Justices shall proceed to do right, notwithstanding such commands.

II. Stat. 18 *E.* 3. *Stat.* 3. 1. The Oath to be given to Justices, when they take their places, is to this effect; *viz.* To serve the King in their Offices, to warn him of any damage, do Justice, take no bribe, give no counsel where he is a party, maintain no Suit, nor deny Right (though by command from the King) to procure the King's profit, and to be answerable to the King in Body, Lands, and Goods, if found in default.

III. Stat. 20 *E.* 3. 1. The Kings Justices shall do Right to all without respect of persons, notwithstanding the Kings Letters or Com-

Commands to the contrary; and if any ſuch be, they ſhall acquaint the King and his Council therewith: they ſhall take no Fee but of the King, nor give Counſel where he is a Party; and if they do amiſs, they ſhall be at the Kings will in Body, Lands and Goods.

IV. Stat. 20 *E.* 3. 2. The like is commanded to the Barons of the Exchequer, and to diſpatch Buſineſſes depending before them without delay.

V. Stat. 20 *E.* 3. 3. Juſtices aſſigned by Commiſſion, and of Aſſiſe and Gaol-delivery, and their Aſſociates, ſhall make ſuch Oath as ſhall be enjoyned them by the Kings Council or the Chancery, before their Commiſſions be delivered unto them.

VI. Stat. 1 *Jac.* 1. 10. None ſhall take any money or promiſe for the report of any Order or Cauſe referred unto them by any of the Kings Judges or Court, directly or indirectly, in pain of 5 *l.* and to loſe his Office or Place in the ſame Court.

VII. The Forfeiture is to be divided betwixt the King and the Party grieved, if he will ſue for it; but if not, then betwixt the King and any other Proſecutor.

VIII. This Act ſhall not prohibit the Clerk from taking for his pains in writing the Report, *viz.* 12 *d.* for the firſt ſheet, and 2 *d.* a piece for the reſt.

Juſtices in Eyre.

I. Warlbr. 24, 52 *H.* 3. Juſtices in *Eyre* ſhall not amerce Townſhips, becauſe all of twelve years of age came not before the Sheriffs and Coroners to make enquiry of Robberies, Houſe-burnings, and other offences againſt the Crown, ſo that a full Inqueſt of thoſe Towns appear: Howbeit, upon an Inqueſt for the death of a man, all of twelve years of age ought to appear, unleſs they have ſome reaſonable cauſe of abſence.

II. Weſt. 1. *cap.* 18. 3 *E.* 1. The common Fine and Amerciament of the whole County in *Eyre* of the Juſtices for falſe Judgment or other Treſpaſs, ſhall hereafter be aſſeſſed by the ſaid Juſtices upon the Oaths of Knights and other honeſt men, and not by Sheriffs and Barretors, as in times paſt hath been uſed: And the ſaid Juſtices ſhall cauſe the parcels thereof to be eſtreated into the Exchequer, and not the whole Sum only.

III. Weſt. 2. *cap.* 10. 13 *E.* 1. Juſtices in *Eyre* (in their Circuits) ſhall appoint a certain time before which all Writs ſhall be delivered in, and then the Sheriff ſhall certifie the chief Juſtice in *Eyre* how many Writs he hath, and what they concern; after which time they ſhall not be received, or (if received) ſhall have no force: except Writs that abate during the Circuit, which may be amended; alſo except Writs of Dower of men dying within the Summons of the Circuit, Aſſiſes of *Darrein preſentment*, and *Quare impedit*, (of Churches vacant within the ſaid Summons) and of *Novel diſſeiſin*.

Of Juſtices of Aſſiſe.

I. Stat. *Juſtic. Aſſiſarum, incerti temporis.* There ſhall be eight circumſpect and diſcreet Juſtices aſſigned to take Aſſiſes, Juries and Certificates throughout the Realm; *viz.* Two in the Counties of *York*, *Northumberland*, *Weſtmorland*, *Cumberland*, *Lancaſhire*, *Nottingham*, and *Darby*; two in the Counties of *Lincoln*, *Leiceſter*, *Warwick*, *Stafford*, *Salop*, *Northampton*, *Rutland*, *Gloceſter*, *Hereford* and *Wigorn*; two in the Counties of *Cornwall*, *Devon*, *Somerſet*, *Dorſet*, *Wiltſhire*, *Southampton*, *Oxon*, *Berks*, *Suſſex*, and *Surrey*; and two in the Counties of *Kent*, *Eſſex*, *Suffolk*, *Norfolk*, *Cambridge*, *Huntingdon*, *Bedford*, and *Buckingham*.

II. Aſſizes, Juries and Inqueſts of *Middleſex*, ſhall be taken before the Juſtices of the Bench.

III. The ſaid eight Juſtices ſo aſſigned, ſhall daily attend for that purpoſe at ſuch places as they ſhall think fit, and moſt for the eaſe of the people; and Writs of Aſſizes, Juries, or Recognizances, ſhall be granted to be taken before none but them, ſave of the ſpecial grace of the King.

IV. Stat. 20 *E.* 3. 6. Juſtices of Aſſize have power to enquire of the miſdemeanours of Sheriffs, Eſcheators, Bayliffs, and other Miniſters, Imbraceors and Jurors, and to puniſh ſuch as be found guilty: And the Chancellor and Treaſurer are to hear all complaints thereof, and to apply ſpeedy remedy thereunto.

V. Stat. 6 *R.* 2. 5. Juſtices of Aſſize and Gaol-delivery ſhall hold their Seſſions in the chief Towns of every County, where the Shire-Courts there uſe to be holden.

VI. Stat. 8. *R.* 2. 2. No man of Law ſhall be Juſtice of Aſſize or Gaol-delivery in his own Country; and the Chief Juſtice of the Common Bench, ſhall be aſſigned amongſt others to take Aſſiſes, and to deliver Gaols; but as to the Chief Juſtice of the Kings Bench, it ſhall be as for the moſt part of one hundred years laſt paſt hath been wont to be done.

VII. Stat. 11 *R.* 2. 11. Becauſe it was found inconvenient to the Subject, that Juſtices of Aſſize ſhould be bound to hold their Seſſions where the Shire-Courts uſe to be held, the Chancellor, by the advice of the Juſtices, ſhall have power to order that otherwiſe, as need ſhall be, notwithſtanding the Statute of 6 *R.* 2. 5.

VIII. Stat. 20 *R.* 2. 3. No Lord or other ſhall ſit upon the Bench with the Juſtices of Aſſize, in pain of great Forfeiture to the King, and the Juſtices there commanded not to ſuffer it.

IX. Stat. 11 *H.* 4. 3. Juſtices of Aſſize ſhall deliver into the Treaſury the Records of Aſſizes of *Novel diſſeiſin*, *Mortdanceſtor*, and *Certifications*, every ſecond year after the Plea determined and Judgment given; and thoſe Records ſhall not be amended or impaired after Judgment given and recorded.

X. Stat. 14 *H.* 6. 3. The Seſſions of the Juſtices of Aſſize and Gaol-delivery in *Cumberland* ſhall be holden (in the time of Peace

Peace and Truce) in the City of *Carlile*, and not elſewhere, according to the Statute of 6 *R.* 2. 5.

XI. Stat. 33 *H.* 8. 24. No Juſtice or other learned in the Law ſhall be Juſtice of Aſſize in the County where he was born or doth inhabit, in pain of 100 *l.* to be divided betwixt the King and the Proſecutor.

XII. This Statute ſhall not extend to the Clerk of Aſſize, or to any Aſſociate, or to any ſuch Juſtice of Aſſize.

XIII. Neither ſhall theſe words, *Juſtices of Aſſize, or others learned in the Law*, extend to Officers in Corporations, but that they may be Juſtices of Aſſize of freſh force, or other Aſſizes, in the places where they dwell or were born.

XIV. This Act ſhall not be prejudicial to any Juſtice of the one Bench or the other, for hearing and determining Aſſizes in thoſe Courts, nor to any Juſtice that ſhall take any Aſſize by adjournment for difficulty thereof.

XV. The Clerk of Aſſize ſhall not (during the Seſſions) be of Counſel to any within the Circuit, otherwiſe than as to his Office appertains, in pain of 10 *l.* to be divided betwixt the King and the party grieved.

XVI. This Act ſhall not extend to Juſtices Clerks nor Clerks of Aſſize within the Dutchy and County Palatine of *Lancaſter*.

Juſtices of both Benches.

I. Weſt. 1. *cap.* 46. 3 *E.* 1. One Plea ſhall be decided by the Juſtices of the Kings Bench, before another be commenced; yet *Eſſoins* ſhall be entred and allowed, but let none preſume to abſent himſelf at the day to him limited.

II. Stat. 10 *H.* 6. *Statutum per ſe.* The Juſtices, Serjeants, and the Kings Attorney, ſhall be paid their wages by the Treaſurer of *England* at *Eaſter* and *Michaelmas* by even Portions, without any other Suit. *But this Statute is not in the printed Book of Statutes.*

Juſtices of Gaol-delivery.

I. Stat. *de finibus levatis, Cap.* 3. 27 *E.* 1. Juſtices of Aſſize preſently after the Aſſizes taken ſhall deliver the Gaols: but if one of them be a Clerk, the other that is Lay, aſſociating unto him one of the moſt diſcreet Knights of the County, ſhall deliver the Gaols.

II. The Juſtices ſhall then alſo inquire, whether Sheriffs or any other have let out by Plevin any Priſoners not pleviable, or have offended in any thing againſt the Statute of *weſt.* 2. 13 *E.* 1. and ſhall puniſh them according to the form of the ſaid Statute.

III. Stat. 2 *E.* 3. 2. Juſtices of Gaol-delivery and *Oyer* and *Terminer* procured by great men ſhall not be made againſt the form of the Statute 27 *E.* 1. *Cap.* 3. And Aſſizes, Attaints, and Certifications

tifications ſhall be hereafter taken before Juſtices commonly aſſigned, being good and lawful men, and having knowledge in the Law, and before none other, according to the Statute of *Weſt.* 2. 29 *E.* 1. *which ſee in* Oyer and Terminer I.

IV. Stat. 4 *E.* 3. 2. Good and diſcreet perſons ſhall be aſſigned in all Shires of *England* to take Aſſizes, Juries, and Certifications, and to deliver the Gaols three times in the year at leaſt.

V. There ſhall alſo be aſſigned good and lawful men in every County to keep the Peace; and ſuch as ſhall be indicted or taken by them, and are not bailable by Law, ſhall not be let to main-priſe by the Sheriff or any other Miniſter, nor otherwiſe delivered then at the Common Law.

VI. Juſtices of Gaol-delivery ſhall have power to deliver the Gaols of thoſe that ſtand indicted before the Keepers of the Peace, which Keepers ſhall ſend thoſe Indictments before the Juſtices of Gaol-delivery, who ſhall have power to inquire of and puniſh Sheriffs, Gaolers and others, which do any thing againſt this Act.

VII. Stat. 17 *R.* 2. 10. In every Commiſſion of Peace, two men of Law of the ſame County ſhall be aſſigned to go and proceed to the deliverance of Thieves and Felons.

☞ Juſtices of Peace.

I. Stat. 1 *E.* 3. *Stat.* 2. 16. The King wills, that in every County good men and lawful, which be no maintainers of evil, or Barretors in the County, ſhall be aſſigned to keep the Peace.

II. Stat. 4 *E.* 3. *Stat.* 1. *Cap.* 2. Two or three of the beſt of reputation in the Counties ſhall be aſſigned Keepers of the Peace by the Kings Commiſſion, who (together with other wiſe and learned in the Law) ſhall have power to hear and determine Felonies and Treſpaſſes done in the ſame Counties, and to inflict puniſhment according to Law and Reaſon.

III. Stat. 34 *E.* 3. 1. There ſhall be aſſigned in every County for the keeping of the Peace, one Lord, and three or four of the moſt worthy of the County, with ſome learned in the Law, who ſhall have power to arreſt and chaſtiſe Rioters, Barretors, and other Offenders, and alſo to impriſon and puniſh them according to Law, and by diſcretion and good adviſement; alſo to bind people of evil fame to the good behaviour, and to hear and determine Felonies and Treſpaſſes done in the ſame County according to Law.

IV. Writs of *Oyer* and *Terminer* ſhall be granted according to the Statutes thereof made, and the Juſtices thereof ſhall be named by the Court, and not by the Party.

V. All general inquiries heretofore granted within any Seigniories (or the miſchiefs done thereby) ſhall from henceforth ceaſe and be repealed.

VI. The Fines impoſed by Juſtices of Peace for Treſpaſſes ſhall be reaſonable and juſt.

VII. Stat.

VII. Stat. 36 *E.* 3. 12. In the Commiſſions of Juſtices of Peace and Labourers expreſs mention ſhall be made, that they ſhall keep their Seſſions four times in the year; *viz.* one within the *Utas* or *Octabis* of *Epiphany*, the ſecond within the ſecond week of Lent, the third betwixt the Feaſts of *Pentecoſt* and St. *John Baptiſt*, and the fourth within eight days of St. *Michael*.

VIII. Stat. *Canterbr. cap.* 10. 12 *R.* 2. In every Commiſſion there ſhall be but ſix Juſtices aſſigned, who ſhall keep their Seſſions every Quarter at leaſt, in pain to be puniſhed at the diſcretion of the Kings Council.

IX. Every Juſtice of Peace ſhall have for his Wages 4 *s.* a day, and the Clerk of the Peace 2 *s.* for ſo long time as the Seſſions ſhall laſt, to be paid by the Sheriffs out of the Fines and Amerciaments ariſing at the ſame Seſſions, whereunto Lords of Franchiſes ſhall be alſo contributary after the rate of their part of ſuch Fines and Amerciaments.

X. No Steward of any Lord ſhall be aſſigned in any Commiſſion of Peace, neither ſhall any Aſſociation be made to the Juſtices of Peace after the firſt Commiſſion.

XI. Judges and Serjeants at Law ſhall not be bound to attend the Seſſions, but when they can conveniently attend it.

XII. Stat. 13 *R.* 2. *Stat.* 1. 7. Notwithſtanding the Statute of 12 *R.* 2. 10. which prohibits the Stewards of Lords to be Juſtices of the Peace, the moſt ſufficient Knights, Eſquires and Gentlemen of the Law ſhall be put in Commiſſion, and ſworn to put in Execution, without favour, all Statutes which concern their Office.

XIII. Stat. 14 *R.* 2. 11. There ſhall be eight Juſtices of Peace aſſigned in every County.

XIV. Double Eſtreats of the Fines and Amerciaments ariſing at the Seſſions ſhall be made, containing the names of all the Juſtices there preſent, and the number of days they ſit, and one of them delivered to the Sheriff, out of which he is to anſwer to the Juſtices their Wages by Indenture, according to which the Sheriff ſhall be again allowed the Wages in the Exchequer upon his Account: but no Duke, Earl, Baron or Baronet (although he be Juſtice of Peace and holds Seſſions with the other eight) ſhall have any Wages allowed him. Quære *whether it ought not to be* Banneret; *for ſo it is in the firſt Edition of* Raſtal, *which I have.*

XV. Stat. 2 *H.* 5. *Stat.* 1. 4. Juſtices of Peace in every Shire named of the *Quorum* ſhall be Reſiant within the ſame Shire, (except Lords, Judges, Serjeants at Law, and the Kings Attorney,) and ſhall keep their Seſſions four times in the year; *viz.* in the firſt week after *Michaelmas*, *Epiphany*, *Eaſter*, and the Tranſlation of St. *Thomas* the Martyr, *viz. Becket*, being the 7*th* of *July*; and oftner if need require.

XVI. Stat. 2 *H.* 5. *Stat.* 2. 1. Juſtices of Peace ſhall be made of the moſt ſufficient Perſons dwelling in the ſame Counties, by the advice of the Chancellor and the Kings Council, without taking others dwelling in forreign Countries to execute that Office, except

cept Lords, Juſtices of Aſſize, and the Kings chief Steward of the Dutchy lands in the North and South parts.

XVII. Stat. 14 *H.* 6. 4. Juſtices of Peace of *Middleſex* are not compellable to keep their Seſſions above twice in the year, notwithſtanding the Statute of 12 *R.* 2. 10. yet may they keep them oftner, if need be, at their diſcretions.

XVIII. Stat. 18 *H* 6. 11. None (except men learned in the Law, or inhabiting Corporations) ſhall be Juſtices of Peace, unleſs their Lands be worth 20 *l. per annum.*

XIX If any be put into the Commiſſion not having Lands to that value, and do not within one month after notice thereof acquaint the Lord Chancellor therewith, or do ſit or make any Warrant by force of ſuch Commiſſion, he ſhall forfeit to the King 20 *l.* to be divided betwixt the King and the Proſecutor.

XX. Stat. 3 *H.* 7. 1. Juſtices of Peace ſhall at the next general Seſſions certifie Recognizances taken for keeping the Peace, where, if the party being called do not appear, thoſe Recognizances ſhall be certified into the *Chancery*, *Kings Bench*, or *Exchequer.*

XXI. Stat. 4 *H.* 7. 12. The King Commandeth all Juſtices of Peace diligentiy to exerciſe their Office, to the end that his people by that means living in Peace, and enjoying their own, Husbandry may flouriſh. He alſo chargeth all, both poor and rich, that ſhall ſuffer any grievance from others, (wherein a Juſtice of Peace may intermeddle) that they forthwith make Complaint thereof to the next Juſtice of Peace, and having no remedy there, to the Juſtices of Aſſize, if it be not long before their coming into that Country; but if it be, then to the Chancellor for the time being: and then the King will ſend for the Juſtice ſo neglecting his Duty; and in caſe he ſhall find him guilty thereof, will cauſe him to be put out of the Commiſſion, and otherwiſe puniſhed according to his demerits. And this Statute ſhall be proclaimed at every Quarter-Seſſions, in pain that every Juſtice there preſent when it is not ſo proclaimed ſhall forfeit to the King 20 *s.*

XXII. Stat. 2 *&* 3 *P. M.* 18. A new Commiſſion of the Peace or Gaol-delivery for the whole County ſhall not be a *Superſedeas* to a former like Commiſſion granted to a City or Town-Corporate being no County.

Keeper of the Great Seal of England.

I. Stat. 5 *El.* 18. THe Authority, Pre-eminence and Advantages of the Lord Keeper of the Great Seal, and of the Lord Chancellor, are declared to be the ſame to all intents, conſtructions and purpoſes.

King.

King.

I. 13 *Car.* 2. *cap.* 1. If any during the Kings Life adviſedly publiſh or affirm the King to be an Heretick or *Papiſt*, or that he endeavours to introduce *Popery*, or ſhall adviſedly publiſh or utter any words or things to ſtir up the people to diſlike of the Kings Perſon or the Government, ſuch perſons being thereof convicted, ſhall be diſabled to have or exerciſe any Office or Promotion Eccleſiaſtical, Civil or Military, or any Imployment in Church or State, other than that of their Peerage.

II. None ſhall be proſecuted for any of theſe offences, but by order of the King or his Succeſſors, under the Sign Manual, or of the Council-Table, to ſome of the Kings Council learned, nor unleſs they be proſecuted within ſix months after the Offence committed, and indicted within three months after ſuch proſecution.

III. The Offender muſt be accus'd by two Witneſſes, who at his Arraignment muſt be brought before him, face to face.

IV. A Peer convicted ſhall be diſabled during his life to ſit in Parliament, unleſs the King Pardon him. The Kings pardon ſhall reſtore Peers and Commoners, as if they never had been convicted.

Knights.

I. Stat. *De milit.* 1 *E.* 2. Divers cauſes for which a man may be excuſed from taking upon him the Order of Knighthood. *See the Statute at large.*

II. Stat. 16, 17 *Car.* 1. 20. None ſhall be hereafter compelled by Writ or otherwiſe to take upon him the Order of Knighthood, and all proceeding concerning the ſame ſhall be void.

☞ Labourers, Artificers, Servants, and Apprentices.

*I. Stat. 2,3 *E.* 6. 15. ARtificers, Workmen and Labourers, that conſpire together concerning their Work or Wages, every of them ſo conſpiring, ſhall forfeit for the firſt Offence 10 *l.* to the King; and if he pay not within ſix days after conviction by Witneſs, Confeſſion, or otherwiſe, he ſhall ſuffer twenty days Impriſonment, and during that time ſhall have no ſuſtenance but Bread and Water: for the ſecond Offence he ſhall forfeit 20 *l.* and that not paid within ſix days, as aforeſaid, ſhall ſuffer the Pillory: and for the third Offence ſhall forfeit 40 *l.* and that not paid within the ſaid time, ſhall again ſuffer the Pillory, loſe one of his ears, and be ever after taken as a man infamous and not to be credited.

☞ II. Juſtices of Aſſize, Juſtices of Peace, Mayors, Bailiffs, and Stewards in Seſſions, Leets and Courts, have power to hear and

and determine these Offences. But Quære *whether this branch of this Statute be not Repealed by the general words of* 1 El. 4. *following.* Revived and Continued 22 & 23 *Car.* 2. *cap.* 19. & 1 *Jac.* 2. *cap.* 17.

* III. Stat. 5 *El.* 4. So much of all Statutes made, and every branch thereof, as touch or concern the hiring, keeping, departing, working, Wages, or Order of Servants, Workmen, Artificers, Apprentices and Labourers, or any of them; and the Penalties and Forfeitures concerning the same, are repealed: Howbeit the said Statutes and every Branch and Matter therein contained, not repealed by this Act, shall remain in force.

IV. None shall hire or be hired for less than one whole Year in the Arts of Clothier, Woollen Weaver, Tucker, Fuller, Cloathworker, Sheer-man, Dier, Hosier, Tailor, Shoe-maker, Tanner, Pewterer, Baker, Brewer, Glover, Cutler, Smith, Farrier, Currier, Saddler, Spurrier, Turner, Capper, Hat or Felt-maker, Fletcher, Arrow-head-maker, Butcher, Cook, Miller.

☞ V. Every person unmarried, or under the age of thirty Years though married, having been brought up in any of the Arts aboveſaid by the space of three years, and not worth in Lands 40 *s. per annum*, or in Goods 10 *l.* and so allowed under the Hands and Seals of two Justices of Peace, the Head Officer or two discreet Burgesses of the place where the Party so brought up hath lived by the space of one whole Year, not already retained in Husbandry, the Arts aboveſaid, or any other Art or Mystery, or in any Service, upon request of any person using the same Act, shall not refuse to serve for the Wages limited by the Statute; and being so retained, shall not depart from his or their Service without one Quarters warning before two lawful Witnesses, or some lawful Cause to be proved before one Justice of Peace, or Head Officer, in pain of imprisonment without bail; but upon submission to perform the Service, they shall be inlarged without Fees: which commitment and inlargement two Justices of Peace, the Head Officer, or two Burgesses, as aforesaid, unto whom Complaint shall be made, have power to command, as in their discretions, upon due proof shall be thought fit.

VI. Every person between the Age of 12 and 60, not already retained in any Service, nor imployed about Husbandry, Mines, Glass, Coal, Fishing, Sailing, provision of Grain or Meal for *London*, nor Gentleman born, nor Scholar in any University or School, nor worth 40 *s. per annum* in Lands, or 10 *l.* in Goods, nor having a Father, Mother, or other Ancestor (whose Heir he is) worth 10 *l. per annum* in Lands, or 40 *l.* in Goods, shall be compelled to serve in Husbandry, and shall not depart that Service, otherwise than as is before limited, upon pain above expressed.

VII. None shall put away his Servant before the end of his Term without a Quarters warning, or some lawful Cause to be proved by two sufficient Witnesses before the Justices of *Oyer* and *Terminer*, Justices of Assize, Justices of Peace in Sessions, a Head-Officer,

Officer, or two diſcreet Aldermen or Burgeſſes, in pain of 40 s.

VIII. No Servant having ſerved in one City or Town ſhall get to ſerve in another without a Teſtimonial, *viz.* in a Town Corporate under the Seals of the Town and two Houſholders there, and in the Country under the Seals of the Conſtable or Conſtables and two Houſholders there: which Teſtimonial ſhall be made and delivered to the Party, and alſo Regiſtred by the Miniſter of the place where the Servant dwelt, for which the Maſter is to have Two pence.

IX. The Form of the Teſtimonial is this: *Memorandum that* A. B. *ſervant to* C. D. *of* I. *in the County of* E. *Husbandman or Tailor*, &c. *in the ſaid County, is licenſed to depart from his ſaid Maſter, and is at his liberty to ſerve elſewhere, according to the Statutes in that caſe made and provided. In witneſs*, &c.

X. The Servant which ſheweth not ſuch a Teſtimonial to the chief Officer in a Corporation, or to the Miniſter or ſome Officer in any other place where he is to dwell, ſhall ſuffer impriſonment till he procure one: and if he procure not one within twenty one days after his impriſonment, or ſhew a falſe one, he ſhall be puniſhed by whipping as a Vagabond: and the Maſter that retains a Servant without ſuch a Teſtimonial ſhall forfeit 5 *l.*

XI. Thoſe that work by the Day or Week ſhall continue at work, betwixt the middle of *March* and the middle of *September*, from five in the morning till betwixt ſeven and eight at night, except two hours allowed for Breakfaſt, Dinner, and Drinking, and half an hour for Sleeping, from the midſt of *May* to the middle of *Auguſt*; and all the reſt of the year from twilight to twilight, except an hour and an half allowed for Breakfaſt and Dinner: in pain to have one peny defalked out of their Wages for every hours abſence.

XII. None that takes Work by great ſhall leave the ſame before it be quite finiſhed, except for not payment of his Wages, the Queens Service, Licence of the Work-maſter, or other lawful Cauſe, in pain to ſuffer one months impriſonment without Bail, and to forfeit 5 *l.* to the party grieved, beſides his coſts and dammages to be recovered at the Common Law for the loſs ſuſtained.

XIII. None retained in Service to work ſhall depart without Licence, in pain of one months impriſonment.

XIV. Such Wages of Labourers, Artificers, and others, as have been formerly rated, or concern Husbandry, ſhall be yearly aſſeſſed for the County by the Sheriff and Juſtices of Peace in Seſſions, and in Corporations by the Head-Officer, at their *Eaſter*-Seſſions, or within ſix weeks after, and before the 12 of *July* following ſhall be certified under their Hands and Seals in the Chancery: whereupon the Lord Chancellor or Keeper ſhall ſend down printed Proclamations thereof into every County and Corporation, before the firſt of *September* then next following, which the ſaid Sheriffs, Juſtices, and Head-Officer, ſhall before *Michaelmas* after, cauſe to be inrolled, and proclaimed. But here, where the old Rates ſhall be certified to ſtand, no Proclamation is needful.

XV. A Juſtice of Peace or chief Officer which ſhall be abſent at taxing of Wages (being not letted by Sickneſs, or ſome other reaſonable Cauſe to be allowed by the Juſtices upon *Affidavit*) ſhall forfeit 10 *l.*

XVI. None ſhall give greater Wages than thoſe ſo Rated as aforeſaid, in pain of 5 *l.* and ten days impriſonment without Bail: and if any perſon ſhall be convicted before two Juſtices of Peace or a Head-Officer of taking more Wages, he ſhall ſuffer twenty one days impriſonment without bail.

XVII. Every Retainer, Promiſe, Gift or Payment of Wages, or other thing contrary to the true meaning of this Act, and every Writing and Bond to be made for that purpoſe, ſhall be void.

XVIII. If any Servant or other ſhall be convicted before two Juſtices of Peace or a chief Officer, as aforeſaid, by his own confeſſion, or the Teſtimony of two honeſt Men, to have aſſaulted his Maſter, Miſtreſs, Dame, or Overſeer, he ſhall ſuffer one years impriſonment, or leſs, if the Juſtice or chief Officer ſhall think fit; and if the party ſhall be thought to deſerve a more ſevere puniſhment, then, to receive ſuch open puniſhment (Life and Member excepted) as the Juſtices in Seſſions, or the chief Officer and four of the diſcreeteſt men in the Corporation ſhall think convenient.

XIX. Artificers ſhall work in Hay-time and Harveſt, in pain of impriſonment in the Stocks two days and one night, which the Conſtable ſhall inflict upon them, in pain of 40 *s.*

XX. It ſhall be lawful for Labourers (other than ſuch as are retained in Service according to this Statute) to go to other Shires to work in Hay-time and Harveſt, ſo that they bring with them a Teſtimonial under the Hand of one Juſtice of Peace, or a chief Officer, teſtifying that they have not ſufficient work in the place where they lived the Winter before; for which Teſtimonial they ſhall only pay a peny.

XXI. Every unmarried Woman, fit to ſerve, being above twelve years old, and under fourty, ſhall by two Juſtices of Peace, a chief Officer, or two Burgeſſes, be compellable to ſerve for convenient time and wages, in pain of impriſonment.

XXII. Husbandmen being Houſholders, and uſing half a Plough-land at leaſt in Tillage, may take by Indenture Apprentices above the Age of ten years, and under eighteen, to ſerve in Husbandry until the Age of twenty one years at leaſt, or twenty four years, as the parties can agree.

XXIII. Every Houſholder of the Age of twenty three years, dwelling in a Town Corporate, and uſing there any Art or Myſtery, ſhall and may take an Apprentice for ſeven years at leaſt; howbeit the Term ought not to expire before the Apprentice accompliſh the age of twenty four years.

XXIV. Merchants, Mercers, Drapers, Gold-ſmiths, Iron-mongers, Embroiderers and Cloathiers, dwelling in Corporate Towns, ſhall take no Apprentices but their own Children, or ſuch whoſe Parents

Parents have Inheritance or Free-hold of 40 *s. per annum*, to be certified under the Hands and Seals of three Juſtices of Peace of the County where ſuch Lands lie, to the Head-Officer of the ſaid Corporation, who ſhall cauſe the ſame to be Recorded. Artificers in Market-Towns not Corporate, being Houſholders, and of the Age of twenty four years, may take other Artificers Children to ſerve as Apprentices.

XXV. Merchants, Mercers, Drapers, Gold-ſmiths, Iron-mongers, Embroiderers and Cloathiers, dwelling in Market-Towns not Corporate, ſhall take no Apprentices but their own Children, or ſuch whoſe Parents have Inheritance of Free-hold worth 3 *l. per annum*, to be certified under the Hands and Seals of three Juſtices of Peace, as aforeſaid.

XXVI. Smiths, Wheel-wrights, Plough wrights, Mill-wrights, Carpenters, Rough-maſons, Plaiſterers, Sawyers, Lime-burners, Brick-makers, Brick-layers, Tilers, Salters, Helyers, Tile-makers, Linen-weavers, Turners, Coopers, Millers, Earthen-potters, Woollen-weavers, (of Houſewifes Cloth only) Fullers, Wood-burners, Thatchers and Shinglers, may take Apprentices though their Parents have no Land.

XXVII. None which hath not ſerved an Apprentice ſeven years in any Art or Myſtery now uſed ſhall uſe the ſame, or ſet any other to work therein which hath not ſo ſerved out that time, in pain to forfeit 40 *s.* for every month.

XXVIII. Woollen-cloth Weavers (other than ſuch as inhabit *Cumberland*, *Weſtmorland*, *Lancaſter* or *Wales*, or in Cities, Corporations, or Market-Towns) ſhall take no Apprentices, nor teach any their Art, ſave their own Children, or ſuch whoſe Parents have Inheritance or Free-hold worth 3 *l. per annum*, to be certified under the Hands and Seals of three Juſtices of Peace of the County where the Lands lie, in pain to forfeit 20 *s.* for every month: and the Indenture ſhall within three months be Regiſtred in the Pariſh where the Maſter dwells, the Fee of which Regiſtring is 4 *d.*

XXIX. Every Cloth-worker, Fuller, Sheer-man, Weaver, Tailor and Shoe-maker, ſhall for every three Apprentices keep one Journey-man, and for every Apprentice above three another Journey-man, in pain of 10 *l.*

XXX. This Act ſhall not prejudice Worſted-makers nor Worſted-weavers in *Norwich* and *Norfolk*.

XXXI. If any perſon fit to make an Apprentice refuſe to ſerve upon demand, one Juſtice of Peace, Mayor, or Head-Officer, unto whom Complaint thereof ſhall be made, have power to commit him to Ward, until he ſhall be willing to ſerve accordingly.

XXXII. If there ſhall ariſe any difference betwixt the Maſter and the Apprentice, one Juſtice of Peace in the Country, or Mayor or Head Officer in a Corporation or Market-Town, ſhall have power to reconcile it, if they can; if not, then to bind over the Maſter to the next Quarter-Seſſions: where the Juſtices of Peace, or any

four of them, (1. *Qu.*) or the Head-Officer with the consent of three of his Brethren, shall upon default found in the Master in Writing under their Hands and Seals have power to discharge the Apprentice of his Service; and if default be found in the Apprentice, then to inflict such punishment upon him as in their discretions shall be thought fit.

XXXIII. None shall be bound to enter into an Apprenticeship, other than such as be under the Age of twenty one years.

XXXIV. Justices of Peace in their several Divisions, and Head-Officers in Towns Corporate, shall meet twice every year, *viz.* one betwixt *Michaelmas* and *Christmas*, and another time betwixt the *Lady-day* and *Midsummer*, to give order for the due execution of this Statute.

XXXV. Justices of Peace and Head-Officers shall have 5 *s.* for every day they sit about the execution of this Statute, to be allowed them out of the Fines which accrue upon the breach thereof, so that their sitting be only for matters contained in this Statute, and not above three days at one time.

XXXVI. The Forfeitures aforesaid (except those otherwise limited) shall be divided betwixt the Queen and the Prosecutor; and all Justices of Peace, or any two of them, (1 *Qu.*) and every Head-Officer, shall have power to hear and determine the breach of this Statute upon Indictment or otherwise, and to award Process and Execution accordingly; and shall yearly in *Michaelmas* Term by Estreat certifie into the Exchequer the Fines which accrue upon this Statute, in manner as they ought to do in other cases.

XXXVII. This Act shall not restrain the Cities of *London* and *Norwich* from taking of Apprentices as in times past.

XXXVIII. None shall take Apprentices otherwise than is limited by this Act, in pain of 10 *l.* and all Indentures otherwise made shall be void.

XXXIX. An Apprentice shall be bound by his Indentures notwithstanding his non-age of 21 years.

XL. The Inhabitants of *Godalming* in *Surry* may take and use such Arts and Apprentices as Market-Towns may do by virtue of this Act.

XLI. The Fines accruing by this Act in Towns-Corporate shall be appointed by the Head-Officer to be Collected as other Fines and Amerciaments for the use of the same Towns.

XLII. When an Apprentice departs from his Masters Service into another County or Corporation, it shall be lawful for the Justice of Peace or Head-Officer, there being no Justices of Peace, to direct a *Capias* to the Sheriff or other chief Officer, for his Apprehension; and being taken, the said Justice of Peace or Head-Officer shall commit him to Ward until he give good Security that he will honestly serve out his Time.

XLIII. Notwithstanding this Act, High-Constables have power to keep their Statute-Sessions, so that they there do nothing repugnant thereunto.

☞ XLIV.

XLIV. Stat. 1 *Jac.* 1. 6. The Statute of 5 *Eliz.* 4. ſhall give power to the Juſtices of Peace to Rate the Wages of any Labourers, Weavers, Spinſters, and Work-men or Work-women whatſoever.

XLV. The Rating of ſuch Wages in Seſſions by the more part of the Juſtices within any particular Riding or Diviſion (where general Seſſions have been uſed ſeverally to be kept) ſhall be as effectual as thoſe rated at the general Seſſions of the whole County.

XLVI. The Sheriffs and Head-Officers within their ſeveral Precincts ſhall cauſe the ſaid Rates to be proclaimed in ſuch ſort as if they had been ſent down Printed from the Lord Keeper, which all perſons ſhall be bound to obſerve, upon the Pains and Penalties mentioned in the ſaid Statute of 5 *Eliz.* 4.

XLVII. A Clothier or other Convicted before the Juſtices of Aſſiſe or Peace in Seſſions, or before two Juſtices of Peace, (1. *Qu.*) by his own Confeſſion or the Evidence of two Witneſſes, not to have obſerved the ſaid Rates, by paying leſs than the Rates ſo appointed, ſhall forfeit 10 *s.* to the party grieved, to be Levied upon Warrant from the ſame Juſtices by Diſtreſs and Sale of his Goods.

XLVIII. None ſhall incur any danger for not making Certificate of the Rates into the Chancery according to 5 *Eliz.* 4.

XLIX. A Clothier being alſo a Juſtice of Peace, ſhall not be a Rater of Wages for any Artificer that depend upon making of Cloth.

Lancaſter.

I. Stat. 33 *H.* 6. 2. An Indictment found in *Lancaſhire* againſt a Foreigner dwelling in another County ſhall be void, unleſs each Juror had Lands and Tenements there of the yearly value of 5 *l.*

II. The like Law is of an Indictment found in another County (and not in *Lancaſhire*) againſt an Inhabitant of *Lancaſhire*, where each Juror hath not Lands and Tenements worth 5 *l. per annum.*

III. Stat. 37 *H.* 8. 16. Lands annexed to the Dutchy of *Lancaſter*, and theſe exchanged by the King with others for the enlargement and conveniency of the ſaid Dutchy. *See the Statute at large.*

IV. Stat. 2 & 3 *P. M.* 20. A farther enlargement of the ſaid Dutchy. *See the Statute.*

Leaſes.

I. Stat. 32 *H.* 8. 28. Leaſes made by Tenant in Tail, or by him who is ſeiſed in the Right of his Wife or Church, (they being of full age at the time of ſuch Leaſe made) ſhall be good and effectual in the Law againſt the Leſſors, their Wives, Heirs and Succeſſors.

II. This Statute ſhall not extend to any Leaſe to be made of Lands in the hands of any Farmer by force of any old Leaſe, unleſs ſuch old Leaſe expired within a year after the making of the new;

nor to any Grant to be made of any Reverſion of Manors, Lands, *&c.* nor to any Leaſe of ſuch Mannor, Lands, *&c.* which have not been Lett to Farm, or Occupied by Farmers twenty years before ſuch Leaſe made; nor to any Leaſe to be made without impeachment of Waſte, nor to any Leaſe to be made for above Twenty one years or Three lives, from the day of the making thereof, and that upon every ſuch Leaſe there be reſerved ſo much yearly Rent as hath been uſually paid for the Lands ſo Lett within twenty years next before ſuch Leaſe made: and the Reverſioners of the Manors, Lands, *&c.* ſo Lett (after the death of ſuch Leſſor or his Heirs) may have ſuch Remedy againſt ſuch Leſſee, his Executor and Aſſigns, as ſuch Leſſor might have had againſt ſuch Leſſee.

III. Provided, That all Leaſes made by the Husband of Mannors, Lands, *&c.* (being the Inheritance of the Wife) ſhall be made by Indenture in the name of Husband and Wife, and ſhe to Seal to the ſame, and the Rent ſhall be reſerved to the Husband and Wife, and the Heirs of the Wife: and here the Husband ſhall not alien or diſcharge the Rent, or any part thereof, longer than during the Coverture, unleſs it be by Fine Levied by Husband and Wife.

IV. This Act ſhall not extend to give liberty to take more Farms or Leaſes than might have been taken before this Act, (*vide Stat.* 25 *H.* 8. 13. *Sheep*) nor to any Parſon or Vicar to make any Leaſe otherwiſe than they might have done before.

V. All Leaſes for years made within three years before the 12th of *April* in 31 *H.* 8. by Writing Indented under Seal by any perſon or perſons of full age, *ſane* memory, not unlawfully coarcted, nor covert Baron, of any Mannors, Lands, *&c.* wherein he or they have an Eſtate of Inheritance to his or their own uſe at the time of the making thereof, and whereof the Leſſee or Leſſees, or their Aſſigns, have now the poſſeſſion by force of ſuch Leaſe or Leaſes, and no cauſe of re-entry or forfeiture thereof had or made, ſhall be good in Law againſt ſuch Leſſors, their Heirs and Succeſſors; ſo as ſo much yearly Rent be reſerved for the ſame as was paid for the ſame within twenty years next before the making of ſuch Leaſe or Leaſes: or elſe ſuch Leaſe or Leaſes to be of no other force than they were before the making of this Act.

VI. No Fine, Feoffment, or other Act done by the Husband only of the Inheritance of Free-hold of the Wife, ſhall make any diſcontinuance, or prejudice the Wife, or any other who is to enjoy it after her Deceaſe; the Fines Levied by the Husband and Wife only excepted.

VII. This Act ſhall not give liberty to the Wife or her Heirs to avoid any Leaſe hereafter to be made of the Wifes Inheritance by the Husband and Wife for Twenty one years or under, or Three lives, whereupon the accuſtomable yearly Rent for twenty years before is reſerved, according to the tenor of this Act.

VIII. This Act ſhall not extend to make good any Leaſe made by any Eccleſiaſtical Perſon which is made void by Authority of Parlia-

Parliament, or by any ſuch Perſon or other now Attainted of Treaſon.

IX. Stat. 1 *Eliz. not Printed.* All Eſtates made by any Archbiſhop or other Biſhop, of any Mannors, Lands, *&c.* parcel of the Poſſeſſions of their Biſhoprick, or united or appertaining thereunto, to any Perſon or Perſons, Body Politick or Corporate, other than to the Queen, her Heirs and Succeſſors, and other than for the term of Twenty one years or Three lives from the time of ſuch Eſtate made, and whereupon the accuſtomed yearly Rent or more ſhall be reſerved and payable yearly during ſuch term of Twenty one years or Three lives, ſhall be void to all intents and purpoſes.

X. Stat. 13 *Eliz.* 10. All Leaſes, Conveyances, or Eſtates, made by any Maſter or Fellows of any Colledge, Dean and Chapter, or any Cathedral or Collegiate Church, Maſter or Guardian of any Hoſpital, Parſon, Vicar, or any other having any Spiritual or Eccleſiaſtical Living, or any Houſes, Lands, Titles, or other Hereditaments, being parcel of their Colledge, Cathedral, Chapter, Hoſpital, Parſonage, Vicarage, or other Spiritual Promotion, or belonging thereunto, other than from Twenty one years or Three lives from the making thereof, and whereupon the accuſtomed yearly Rent or more ſhall be reſerved and payable yearly during the term, ſhall be utterly void to all intents and purpoſes.

XI. This Act ſhall not make good any Leaſe or other Grant againſt the private Statutes of any Colledge or Collegiate Church.

XII. This Act ſhall not extend to any Leaſe hereafter to be made upon ſurrender of a former Leaſe, or by reaſon of any Covenant or Condition contained in any former Leaſe, and ſtill continuing; ſo as the Leaſe to be made contain not more years than the reſidue of the years of ſuch former Leaſe, nor any leſs Rent than is thereby reſerved.

XIII. Stat. 13 *Eliz.* 20. No Leaſe made of any Benefice or Eccleſiaſtical Promotion with Cure, or any part thereof, (and not Impropriated) ſhall endure any longer than while the Leſſor ſhall be ordinarily reſident and Serving the Cure of ſuch Benefice, without abſence above 80 days in any one year, but that every ſuch Leaſe, *ſo ſoon as it or any part thereof ſhall come into any poſſeſſion or uſe above forbidden*, or immediately upon ſuch abſence ſhall ceaſe and be void: and the Incumbent ſo offending ſhall loſe a years Profit of his Benefice, to be diſtributed by the Ordinary amongſt the Poor of the Pariſh.

XIV. Provided, That every Parſon allowed to have two Benefices may Demiſe one of them (upon which he is not moſt ordinarily reſident) to his Curate only; but ſuch Leaſe ſhall endure no longer than during ſuch Curates reſidence, without abſence above 40 days in any one year.

XV. Stat. 14 *Eliz.* 11. In the Statute of 13 *Eliz.* 20. theſe words *(ſo ſoon as it, or any part thereof, ſhall come to any poſſeſſion or uſe above forbidden, or)* Repealed.

XVI. All Bonds, Contracts, Promiſes and Covenants hereafte to be made for ſuffering or permitting any perſon to enjoy any Benefice or Eccleſiaſtical Promotion with Cure, or to take the Fruits thereof, (other than ſuch Bonds and Covenants made for aſſurance of any Leaſe heretofore made) ſhall be adjudged of ſuch validity (and no otherwiſe than) as Leaſes thereof made. The like Law is of Leaſes, Bonds, Promiſes, or Covenants, made by Curates.

XVII. The Branch of the Statute of 23 *Eliz.* 10. made to avoid certain Leaſes made by certain perſons having Spiritual Livings, ſhall not extend to Houſes ſituate in Corporations or Market-Towns or the Suburbs thereof, nor unto the Grounds appertaining to ſuch Houſes, ſo as they be not the Dwelling-houſes of ſuch perſons, nor have above 10 Acres of Ground belonging to them.

XVIII. Provided, That no Leaſe ſhall be made by force of this Act in reverſion, or without reſerving the accuſtomed yearly Rent at leaſt, or without charging the Leſſee with reparations, or for longer term than 40 years. Neither ſhall any ſuch Houſes be alienated without purchaſing preſently after other Lands in Fee-ſimple of as good value, and as great yearly value as the Houſes ſo alienated.

XIX. Stat. 18 *Eliz.* 6. Upon Leaſes made by Colledges in the two Univerſities, *Wincheſter* and *Eaton*, the third part of the Rent ſhall be reſerved in Grain, to be delivered to them yearly at days prefixed, after the rate of 6 *s.* 8 *d.* for a Quarter of Wheat, and 5 *s.* for a Quarter of Malt, or under thoſe Prices: or it ſhall be in the election of the Leſſee to pay them in kind, at the beſt rates found in thoſe ſeveral Markets reſpectively the next Market-days before the ſaid day prefixed for the payment or delivery thereof: and all Leaſes otherwiſe made, and all Bonds and Aſſurances given to the contrary, ſhall be void. Which ſaid Grain or Money ſhall be expended for the relief of the Commons and Diet of the ſaid Colledges reſpectively without fraud, in pain of deprivation of the chief Rules of ſuch Colledges reſpectively, and of all others conſenting thereunto.

XX. This Act ſhall not extend to any Leaſe to be made by the Preſident and Scholars of St. *John's* Colledge in *Oxford* of the Manor of *Fifield*, to the Heir male of Sir *Thomas White* Knight, late Alderman of *London*, and Founder of the ſaid Colledge.

XXI. Stat. 18 *Eliz.* 11. All Leaſes made by ſuch perſons as are mentioned in the Stat. of 13 *Eliz.* 10. where another Leaſe is in being, not to be expired, ſurrendred or ended within three years next after the making of ſuch new Leaſe, ſhall be void: And all Bonds and Covenants for removing of any ſuch Leaſe contrary to this Act, or to the ſaid Statute of 13 *Eliz.* 10. ſhall alſo be void. Howbeit this Act ſhall not extend to any Leaſe or Leaſes heretofore made by any ſuch perſon or perſons.

XXII. After Complaint to the Ordinary, and Sentence given upon any Offence committed by the Incumbent againſt the Statute of 13 *Eliz.* 20. whereby he ought to loſe the Profits of his Benefice,

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the Ordinary within two months after ſuch Sentence given, and Requeſt made by the Churchwardens or one of them, ſhall grant the Sequeſtration thereof to ſuch Inhabitant or Inhabitants there, as to him ſhall ſeem convenient: and upon default in the Ordinary, it ſhall be lawful to every Pariſhioner there to retain his Tithes, and for the Churchwardens to take the Profits of the Glebe, and other Rents and Duties of ſuch Benefice, to be employed to the uſe of the Poor, until the Sequeſtration ſhall be committed by the Ordinary; and then the Churchwardens and Pariſhioners are to Accompt to him or them to whom ſuch Sequeſtration ſhall be committed, and he or they ſhall employ the ſaid Profits to ſuch Uſes as by the ſaid Statute of 13 *Eliz.* 20. are appointed, in pain to forfeit the double value of the Profits withholden, to be recovered in the Eccleſiaſtical Court by the Poor of the Pariſh.

XXIII. Stat. 43 *Eliz.* 9. All Judgments hereafter to be had for the intent to have or enjoy any Leaſe contrary to the Statutes of 13 *Eliz.* 20. 14 *Eliz.* 11. and 18 *Eliz.* 11. or any of them, ſhall be deemed void, in ſuch ſort as Bonds and Covenants are appointed to be void, which are made for that purpoſe.

Lee River.

I. Stat. 13 *Eliz.* 18. For making the River of *Lee* Navigable from *Ware* to *London*. *See the Statute.*

Leet.

I. Stat. 18 *Ed.* 2. The Articles of the Charge in a Leet.

II. Stat. 1 *Jac.* 1. 5. No Steward or Deputy-Steward of any Leet or Court Baron, ſhall make benefit to the value of 12 *d.* or more by colour of any Grant made of the Profits or Perquiſites of any ſuch Courts whereof he is Steward, in pain to be diſabled for ever after to be Steward of any Court, and beſides to forfeit 40 *l.* to be divided betwixt the King and the Proſecutor.

Libel.

I. Stat. 2 *H.* 5. 3. A Copy of a Libel grantable in the Eccleſiaſtical Court, ſhall be preſently delivered upon the Defendants appearance.

Limitation.

I. Wert. 20 *H.* 3. 8. Seiſin of ones Anceſtor in a Writ of *Right* ſhall be from the time of *H.* 2. in a *Mortdanceſtor*, Writ of *Neife*, and of *Entry*, from the laſt return of King *John* out of *Ireland*; and in an Aſſiſe of *Novel Diſſeiſin*, from *Henry* the Thirds firſt Voyage into *Gaſcoign*.

II. Weſt.

II. Weſt. 1. 3 E. 1. 39. Seiſin of ones Anceſtor in a Writ of *Right*, ſhall be from the time of *R.* 1. in an Aſſiſe of *Novel Diſſeiſin*, and *Nuper Obiit*, from *H.* 3. his Voyage into *Gaſcoign*; and in a *Mort-danceſtor*, *Coſenage*, *Ayel*, and *Neiſe*, from the Coronation of *H.* 3.

III. Stat. 32 *H.* 8. 2. Seiſin in a Writ of *Right* ſhall be within ſixty years before the *Teſte* of the ſame Writ.

IV. In a *Mortdanceſtor*, *Coſenage*, *Ayel*, Writ of *Entry ſur Diſſeiſin*, or any other poſſeſſory Action, upon the poſſeſſion of his Anceſtor or Predeceſſor, it ſhall be within fifty years before the *Teſte* of the Original of any ſuch Writ.

V. In a Writ upon the Parties own Seiſin or Poſſeſſion, it ſhall be within thirty years before the *Teſte* of the Original of the ſame Writ.

VI. In an Avowry or Cogniſance for Rent, Suit or Services of the Seiſin of his Anceſtor, Predeceſſor, or his own, or of any other whoſe Eſtate he pretends to have, it ſhall be within fourty years before the making of ſuch Avowry or Cogniſance.

VII. *Fermedons* in *reverter* or *remainder*, and *Scire facias* upon Fines ſhall be ſued within fifty years after the Title or Cauſe of Action accrued, and not after.

VIII. The party Demandant Plaintiff or Avowant that (upon Traverſe or Denier by the other party) cannot prove actual Poſſeſſion or Seiſin within the times above limited, ſhall be for ever after barred in all ſuch Writs, Actions, Avowries, Cogniſance, Preſcription, *&c.*

IX. Provided, That in any of the ſaid Actions, Avowries, Preſcriptions, *&c.* the parties grieved may have an Attaint upon a falſe Verdict given.

X. Stat. 1 *M.* 1. *Parl.* 2. *Seſſ. cap.* 5. The Stat. of 32 *H.* 8. 2. ſhall not extend to a Writ of Right of Advowſon, *Quare Impedit*, Aſſiſe of *Darrein Preſentment*, *Jure Patronatus*, Writ of Right of Ward, Writ of Raviſhment of Ward, nor to the Seiſor of the Wards Body or Eſtate: but the time of the Seiſin to be alledged in ſuch caſes, ſhall be as it was at the Common Law before the making of the ſaid Statute.

XI. Stat. 21 *Jac.* 1. 2. The King, his Heirs or Succeſſors, ſhall recover no concealed Mannors, Lands, Tenements, Rents, Tithes or Hereditaments, (other than Liberties and Franchiſes, and the Iſſues and Profits which concern the ſame) nor make any Right, Claim, or Demand of, in, or to the ſame, by reaſon of any Right or Title accrued ſixty years and more, and now *in eſſe*; unleſs the King or ſome of his Predeceſſors, or ſome other under whom he Claims, have been anſwered (by force of ſuch Right or Title) the Rents, Iſſues and Profits thereof within ſixty years next before the beginning of this Parliament; or that the ſame have been duly in Charge to the King, or Queen *Elizabeth*, or have ſtood in *ſuper* of Record within the ſaid time.

XII. This Act ſhall not extend to Impeach the Kings Right or Title

Title to any Reverſion or Remainder, nor to alter the Tenures or Services of Lands. And here alſo, the Right of all others (ſave of the King) is ſaved.

XIII. Neither ſhall this Act extend to annul the Cuſtom of 2 *d.* paid for every Chaldron of Sea-Coals at *Newcaſtle* upon *Tine*.

XIV. Provided, That no putting in Charge ſtanding *ſuper*, or anſwering the Rents or Profits of any Lands or Hereditaments, by force or colour of any Letters Patents, Grants or Concealments, or defective Titles, or of Lands, Tenements or Hereditaments, out of Charge, or by force or colour of any Inquiſitions, Preſentments upon any Commiſſion, or other authority to find out Concealments, defective Titles, or Lands, Tenements or Hereditaments, out of Charge, ſhall be deemed or taken to be a putting in Charge ſtanding in *ſuper*, or warning the Rents or Profits to the King or his Predeceſſors, unleſs thereupon ſuch Lands, Tenements or Hereditaments have been upon any Information or Suit, (on the behalf of the King or his Predeceſſors) upon any lawful Verdict given, or Demurrer in Law, adjudged, and upon a Hearing ordered or decreed to the King or his Predeceſſors, within the ſaid time of ſixty years.

XV. This Act ſhall not extend to Lands for which Compoſition is or ſhall be made before the end of this Parliament.

XVI. Stat. 21 *Jac.* 1. 16. All Writs of *Formedon* in *Deſcender*, *Remainder*, or *Reverter*, for any Title or Cauſe now *in eſſe*, ſhall be Sued within 20 years next after this preſent Seſſion of Parliament; and for any Title or cauſe hereafter accruing, within 20 years after ſuch Title or Cauſe ſo accruing: otherwiſe ſuch Title ſhall be for ever after Barred, and the Party Claiming utterly excluded from Entry.

XVII. None now having any Right or Title of Entry into any Mannors, Lands, Tenements or Hereditaments, now held from him or them, ſhall thereinto enter, but within 20 years next after the end of this Seſſion of Parliament, or within 20 years next after any other Title accrued: And none ſhall at any time hereafter make any Entry into Lands, Tenements or Hereditaments, but within 20 years next after his or their Right or Title, which ſhall hereafter firſt deſcend or accrue to the ſame.

XVIII. The Titles of any Infant, Feme-covert, *Non compos mentis*, one Impriſoned, or beyond Sea, are ſaved, ſo as they commence their Suit within ten years after ſuch Imperfections removed.

XIX. All Actions upon the Caſe (other than for Slander) Actions for Accompt, (other than ſuch as concern Merchandize) Actions of Treſpaſs, Debt, Detinue, Trover and Replevin, ſhall be commenced within three years after this preſent Seſſion of Parliament, or within ſix years after the cauſe of ſuch Actions or Suits, and not after.

XX. All Actions of Treſpaſs, of Aſſault, Battery, Wounding, and Impriſonment, ſhall be commenced within one year after this Seſſion, or within four years after the cauſe of Suit, and not after.

XXI. All Actions upon the Caſe for Words ſhall be commenced within

within one year after this preſent Seſſion, or within two years after the Words ſpoken, and not after.

XXII. Provided, That if in any ſuch Actions Judgment be given for the Plaintiff, and the ſame be Reverſed by Error, or a Verdict paſs for him, and upon Motion in Arreſt of Judgment it is given againſt him, or if the Defendant be Outlawed in the Suit, and after Reverſe the Outlawry: in theſe Caſes the Plaintiff, his Heirs, Executors or Adminiſtrators, may commence a new Action within a year after ſuch Judgment Reverſed, or given againſt the Plaintiff, or Outlawry ſo Reverſed, and not after.

XXIII. The right of Action in the caſes aboveſaid is ſaved to an Infant, Feme-covert, *Non compos mentis*, a perſon Impriſoned, or beyond Sea, ſo as they commence their Suit within the times above limited reſpectively after their Imperfections removed.

Linn.

I. Stat. 26 *H.* 8. 9. An Act for the repairing of the Town of *Linn*. *See the Statute at large.*

☞ Linen Cloth.

* I. Stat. 28 *H.* 8. 4. No perſon whatſoever ſhall put to ſale any piece of Doulas or Lockeram, unleſs the juſt length be expreſſed thereupon, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the Seiſor.

* II. Stat. 1 *Eliz.* 12. None ſhall uſe any means whereby Linnen Cloth ſhall be deceitful, or made worſe for uſe, in pain to forfeit the ſame, to ſuffer a months Impriſonment, and to be Fined by the Juſtices before whom he ſhall be condemned.

III. Juſtices of *Oyer* and *Terminer*, and of Aſſiſe, and Juſtices of Peace, or any three of them, (1 *Qu.*) have power to hear and determine theſe Offences.

☞ IV. The Informer that ſhall at the next Seſſions of the Peace after the Seiſure to be kept in the County where ſuch Seiſure is made, or before to Juſtices, (1 *Qu.*) make due Information of the Offence and Seiſure, or procure the Offender to be there Indicted, and be bound by Recognizance before the ſaid Juſtices to purſue the ſame matter with effect, and give Evidence, as of right appertaineth, and pay the one moiety of what he recovers to the Sheriff or other Accomptant for the Queens uſe, ſhall have the other moiety for his pains.

V. The Juſtices before whom theſe Offences are tried, ſhall by Eſtreat certifie the Forfeiture into the Exchequer.

VI. Stat. 15 *Car.* 2. *cap.* 15. Any perſon, Native or Foreiner, may ſet up in any place whatſoever of *England* or *Wales*, Priviledged or Unpriviledged, Corporate or not Corporate, the Trade of Breaking, Hickling or Dreſſing Hemp or Flax, and of Making and Whitening

Whitening Thread, and Spinning, Weaving, Making, Whitening or bleeching Cloth made of Hemp or Flax only, and the Trade of making Twine or Nets for Fiſhery, or ſtoring Cordage, or making Tapiſtry Hangings.

VII. Foreiners that ſhall uſe any of the ſaid Trades three years in *England*, *Wales*, or Town of *Berwick*, ſhall from thenceforth, taking the Oaths of Supremacy and Allegiance, before two Juſtices of Peace near to their Dwellings, enjoy all Priviledges as natural born Subjects.

VIII. Foreiners that exerciſe the ſaid Trades, ſhall not be liable to other Impoſitions than natural born Subjects, unleſs the Trade as Merchants to and from Forein Parts, in which caſe they ſhall pay Aliens Cuſtom for five years next enſuing, and no longer.

Livery and Ouſter le main.

I. Stat. *De Eſcheatoribus* 29 *E.* 1. Where by Inqueſts taken before the Eſcheator, upon the Kings Writ returned, it is found that nothing is holden of the King, the Eſcheator ſhall be immediately commanded by the Kings Writ out of the Chancery, to put from his hands the Lands ſo taken into the Kings hands; and if the Eſcheator have received any Profit thereof, he ſhall reſtore it. Howbeit, if the Kings Title may afterwards be made appear by remembrances in the Chancery, Exchequer, or elſewhere, the Lands ſhall be Re-ſeiſed, and the mean Profits anſwered to the King: and in ſuch caſe *Scire facias* ſhall iſſue out againſt the Party to ſhew cauſe why they ſhould not be Re-ſeiſed. *Vide Artic. ſuper Chart.* 28 *E.* 1. *cap.* 19. to the like effect as to the *Ouſter le main*, and rendring the mean Profits, when there is no cauſe of Seiſure.

II. Stat. 28 *Ed.* 3. *c.* 4. Where the Kings Tenant, after he hath had Livery, hath been charged with Rents and other payments become due after ſuch Livery for part of the time *pro rata*; hereafter the Eſcheator ſhall be charged with the caſual and continual Profits which happen before the Livery *(pro rata)* according to the time, and the Tenant ſhall receive certain payments of Rent, *&c.* which happen after the Livery, without any abatement thereof *(pro rata)* for the time.

Liveries of Companies and Retainers.

*I. Stat. 1 *R.* 2. 7. None ſhall give Liveries for Maintenance of Quarrels or other Conſpiracies, in pain of impriſonment and grievous Forfeiture to the King: and the Juſtices of Aſſize ſhall diligently enquire of ſuch as gather together in Fraternities for ſuch purpoſes, and ſhall puniſh them according to their Demerits.

London.

I. Stat. *De Gavelet*, 10 *E.* 2. The Lords of Rents in *London* may recover

recover them by a Writ of *Gavelet* in their Huſtings; and in default thereof, the Lands in Demeſne.

II. Stat. 28 *E.* 3. 10. The Mayors, Sheriffs and Aldermen of *London* ſhall cauſe Errors, Defaults and Miſpriſions there to be redreſſed, in pain to forfeit for the firſt Default 1000 Marks, for the ſecond 2000 Marks, and for the third to have the Franchiſe and Liberty of the City ſeiſed: and their Defaults herein ſhall be inquired of by Inqueſts of *Kent*, *Eſſex*, *Suſſex*, *Hertford*, *Buckingham* and *Berks*, as well at the Kings Suit, as of others that will complain.

III. The Mayor, Sheriffs and Aldermen, being indicted, ſhall be cauſed by due Proceſs to come before the Kings Juſtices aſſigned thereunto out of the City, and there ſhall be made to anſwer as well to the King as to the party grieved, and their Trial ſhall be by forein Inqueſts, as aforeſaid; whereupon if they be Attainted, the ſaid Pain ſhall be Levied upon them, and the Plaintiffs alſo ſhall recover treble Damages.

IV. In the proſecution of ſuch Suits, the Conſtable of the Tower or his Lieutenant ſhall execute all Proceſſes in the City, which Proceſs ſhall be by Attachment, Diſtreſs and *Exigent*: and in the Kings Caſe the *Exigent* ſhall be Awarded after the firſt *Capias* returned; but after the return of the third *Capias*, at the Suit of the party.

V. If they have Lands out of the City, Proceſs ſhall iſſue againſt them in the County where ſuch Lands be, by Attachment and Diſtreſs.

VI. Every of them that appear ſhall anſwer particularly for himſelf, as well at the peril of him that is abſent, as of himſelf.

VII. This Ordinance ſhall extend to all other Cities and Burroughs throughout the Realm. Howbeit the Inqueſts in ſuch caſes ſhall be taken by forein People of the Counties wherein ſuch Cities and Burroughs are ſituate: and the pains to be ſet upon them ſhall be adjudged by the Juſtices thereto aſſigned.

VIII. Stat. 1 *H.* 4. 15. The Penalties of 1000 and 2000 Marks (impoſed by the Statutes of 28 *E.* 3.) ſhall not be limited to a certainty, but the Penalties ſhall from henceforth be left to the diſcretion of the Juſtices thereunto aſſigned, in like manner as it is for other Cities and Burroughs.

IX. Stat. 35 *H.* 8. 10. An Act for repairing, making and mending the Conduits in *London*.

X. An Act for erecting a Judicature for determination of Differences touching Houſes burnt or demoliſhed by reaſon of the late Fire in *London*. *See the Act.*

XI. Stat. 19 *Car.* 2. *Cap.* 3. For the ſpeedy Re-building of the City of *London*, and the Uniformity of the New Building, and for the prevention of outragious Fires; the Rules and Directions following ſhall be obſerved.

XII. If any perſon be convicted by the Oaths of two Witneſſes before the Lord Mayor or two Juſtices of Peace for the City, of building contrary thereto, the Houſe ſo built, ſhall be deemed a common

common Nuſance, and the Builder ſhall enter into a Recognizance for demoliſhing the ſame, or amending it according to the ſaid Directions, and in default of entering into ſuch Recognizance, ſhall be committed till he abate or amend the ſame: or elſe ſuch Houſe ſhall be demoliſhed by Order of the Court of Aldermen.

XIII. The Lord Mayor, Aldermen and Common Council, ſhall appoint one or more Surveyor to ſee the ſaid Rules obſerved: and may give them an Oath for the true Execution of their Office.

XIV. There ſhall be only four ſorts of Buildings: The firſt ſort of Houſes fronting By-Lanes: the ſecond fronting Streets and Lanes of note: the third fronting high and principal Streets: the fourth of Houſes for Citizens and other Perſons of extraordinary Quality, not fronting either of the three former ways.

XV. The Lord Mayor, Aldermen and Common Council ſhall before the firſt of *April* next, declare which ſhall be accounted By-Lanes, which Streets or Lanes of note, and which high and principal Streets.

XVI. The outſides of all Buildings in and about the City ſhall be of Brick or Stone, or of Brick and Stone together, except Door-Caſes and Window-Frames, the Breſt, Summers, and other parts of the firſt ſtory to the Front, between the Pieres: which are left to the Builders diſcretion: but ſhall be diſcharged of the burthen of the Fabrick by Arch-work of Brick or Stone.

XVII. There ſhall be Party-Walls and Party-Pieres ſet out equally on each Builders Ground, to be built by the firſt Builder, and convenient Toothing left in the Front-Wall: None ſhall Build on the ſaid Party-Walls or their own contiguous Ground, till they have paid the firſt Builders the moiety of the Charges of ſuch Party-Walls, with Intereſt at *6 per cent.* from the beginning of the firſt Building. Differences concerning the value of ſuch Charges ſhall be referred to the Alderman of the Ward, and his Deputy; where one of them is a party, or where they cannot compoſe ſuch Difference, the Lord Mayor and Court of Aldermen ſhall.

XVIII. The Houſes of the firſt ſort of Building ſhall be two Stories high, beſides Cellars and Garrets; the Cellars ſix Foot and a half high, if the Springs of Water hinder not, each Story nine Foot high; the Walls in Front and Reer as high as the firſt Story, two Bricks length in thickneſs, thence upwards to the Garrets one Brick and a half, the thickneſs of the Garret-Walls on the back part not leſs than the length of one Brick (of the Party-Walls one Brick and a half as high as the Garrets) in the Garrets one Brick at leaſt.

XIX. The Houſes of the ſecond ſort, fronting Streets and Lanes of note and the *Thames*, ſhall be three Stories high: the Cellars ſix Foot and a half high, if the Springs of Water hinder not: the firſt Story ten Foot high, the ſecond the like, the third nine Foot; the Walls in Front and Reer as high as the firſt Story, of the thickneſs of the length of two Bricks and a half: and upwards to the Garret-Floor, of one Brick and a half the thickneſs of the Garret-Walls,

on

on the back-part not leſs than the length of one Brick: the thickneſs of the Party-Walls two Bricks length as high as the firſt Story, and up to the Garrets of one Brick and a half.

XX. The Houſes of the third ſort ſhall be four Stories high: the firſt Story ten Foot high, the ſecond ten Foot and a half, the third nine Foot, the fourth eight Foot and a half: the Walls in Front and Reer as high as the firſt Story, of the thickneſs of the length of two Bricks and a half: and upwards to the Garret-floor, of one Brick and a half: the thickneſs of the Garret-Walls not leſs than the length of one Brick: of the Party-Wall two Bricks length as high as the firſt Story, and upwards to the Garrets one Brick and a half.

XXI. The Houſes of the fourth ſort ſhall bear the ſame ſcantlings as in the Table are ſet down for the ſame, the number and height of the Stories ſhall be left to the Builders diſcretion, ſo as he exceeds not four Stories.

XXII. In the Front of Houſes in high Streets there ſhall be Balconies four Foot broad, with Rails and Bars of Iron, of equal diſtance from the Ground, to contain in length the third parts of the Front, the remaing vacancy to be ſupplied with a Pent-houſe of the breadth of the Balcony, covered with Lead, Slate or Tiles, Plaiſtered underneath: the Water falling from the Houſes, Balconies and Pent-houſes, ſhall be conveyed into the Channels by Party-Pipes on the ſides or Fronts of the Houſes: and Pavement of flat Stone at the Builders Charge ſhall be made under the Balconies and Pent-houſes.

XXIII. The firſt Floor over the Cellar in Houſes of the ſecond and third ſort ſhall not be more than eighteen Inches above the Streets, nor leſs than ſix, with a circular ſtep without the Building. No Trap-doors nor open Grates without the Foundations of the Fronts ſhall be ſuffered: nor Lights but what are upright. No Bulks, Jetties, Windows, Poſts, Seats, *&c.* ſhall extend beyond the ancient Foundations, only in high Streets, Stall-boards, when the Shop-windows are open, may extend eleven Inches into the Streets.

XXIV. If any Houſes burnt or pulled down at the time of the late Fire are not Rebuilt within three years next enſuing, Proclamation ſhall be made by Act of Common-Council betwixt Twelve of the Clock and Two in the Afternoon, upon ſuch Ground, and upon the Exchange, to cauſe the ſame to be Re-built within nine months: in default whereof, the Mayor and Court of Aldermen ſhall iſſue Warrants to the Sheriffs to impannel a Jury before them to eſtimate the value of ſuch Ground, and may ſell the Inheritance, the Moneys to be paid into the Chamber of *London*, and thence iſſued to them that are intereſſed in ſuch Ground, according to their reſpective Eſtates therein, which Sale Enrolled according to the Cuſtom of the City ſhall conclude all that have Right.

XXV. in caſe of Combination or unreaſonable Exaction by Brick-makers, Tile-makers, or Lime-burners, the Juſtices of the Kings-Bench, or two of them, upon Complaint of the Mayor and Court of Alder-

Aldermen, calling ſuch of the ſaid Workmen, working within five miles of the River of *Thames*, as they think fit, may upon Conference with them, if preſent, or otherwiſe in their abſence, Aſſeſs the Prices of Bricks, Lime and Tiles,, and of all Carriages thereof by Land and Water.

XXVI. And in caſe of Combination or Exaction of unreaſonable Wages by the aforementioned or other Artificers, Workmen or Labourers, the ſaid Juſtices upon like Complaint may appoint their Wages: which Rate, together with the Prices of the ſaid Materials and Carriages being proclaimed, ſhall bind all perſons: Artificers and Workmen refuſing to ſell or work for the Prices and Wages ſo appointed, or leaving their Work unfiniſhed, unleſs for non-payment of their Hire, or other Cauſe to be allowed by a Juſtice of Peace, or agreeing for greater Wages or Prices, and convicted thereof by Oath of one Witneſs before a Juſtice of Peace, ſhall be committed to the common Gaol for a month, unleſs they ſhall pay ſuch Fine as the ſaid Juſtices ſhall ſet, not exceeding 10 *l.* out of which the Juſtice ſhall award ſatisfaction to the parties injured, and pay the reſt to the Chamberlain of *London* for Re-edifying the publick Buildings of the City.

XXVII. Artificers and Workmen not free of the City, ſhall till the ſaid Buildings are fully finiſhed, enjoy ſuch Liberty of Working as Free-men of *London* of the ſame Trades: and ſuch as ſhall have wrought ſeven years in the Re-building of *London*, ſhall enjoy ſuch Liberty during their Lives.

XXVIII. Differences concerning Lights and Water-courſes ſhall be determined by the Alderman of the Ward and his Deputy: who, if they be parties, or cannot determine them, ſhall certifie them to the Mayor and Court of Aldermen, who ſhall determine the ſame without Appeal.

XXIX. Common Sewers, Drains, Vaults, and the order and manner of paving and pitching the Streets and Lanes, ſhall be deſigned and ſet out by ſuch as the Mayor, Aldermen and Commonalty ſhall appoint under their common Seal: which perſons, or ſeven of them with the Surveyors or one of them, may order and direct the making of new Vaults, Drains and Sewers, or cut into, alter or cleanſe any already made. To effect which, they may impoſe Taxes on all Houſes, in proportion to the benefit they receive thereby, and Levy the ſame by Diſtreſs and Sale of Goods. All other Commiſſioners ſhall be ſuſpended to intermeddle in the Premiſes, till the ſaid Buildings ſhall be fully finiſhed.

XXX. The Lord Mayor, Aldermen and Common-Council may prohibit ſuch Trades in high Streets as they judge noiſom or perilous in reſpect of Fire, and may remove into other Places, or contract into a leſſer compaſs Conduits in high Streets now ſtanding, or hereafter to be erected; and may inlarge in ſuch manner as there ſhall be cauſe, with the Kings approbation the Places hereafter mentioned, *viz. Fleetſtreet*, &c. *See the Statute at large*: and may by virtue

of this Act enlarge other ſtrait Paſſages within this City, that are leſs than fourteen Foot in breadth, giving notice to the Parties intereſſed before the firſt of *May* next enſuing, and may make a new Street from *Guildhall* to *Cheapſide*, as wide as they think fit.

XXXI. And if the Parties intereſſed in ſuch Ground will not or cannot Treat and Agree for the ſame, the Lord Mayor and Court of Aldermen ſhall iſſue Warrants to the Sheriffs of *London* to return a Jury to Aſſeſs ſuch Recompence as they think fit: and ſuch Verdict, and the Judgment of the Lord Mayor and Court of Aldermen thereupon, and the payment of the Money adjudged ſhall be binding.

XXXII. In caſe of refuſal or incapacity of Perſons intereſſed in ſuch Houſes as receive advantage by ſuch Regulation and Enlargement, to agree with the Lord Mayor, Aldermen and Commons for the ſame, a Jury Impannelled as aforeſaid, ſhall Aſſeſs upon them ſuch Sums as they think fit, to be paid to the Chamberlain of the City, who may recover the ſame by Action at Law, and ſhall be accountable according to Directions from the Lord Mayor and Court of Aldermen: the Money ſo raiſed, to be employed towards Satisfaction for ſuch Houſes and Ground as ſhall be converted into Streets, *&c.*

XXXIII. Differences concerning Grounds to be taken and diſpoſed of by virtue of this Act, ſhall be determined by the Juſtices of the Kings Bench, and Common Pleas and Barons of the Coif of the Exchequer, or three of them, in a ſummary way of proceeding without the Formalities uſed in any of the ſaid Courts.

XXXIV. The ſecond day of *September*, unleſs it happen on a *Sunday*, and then the day after, ſhall be for ever obſerved as a day of Publick Faſting and Humiliation within the City and Liberties thereof.

XXXV. A Column of Braſs or Stone ſhall be erected near to the Place where the Fire began, with ſuch Inſcription as the Mayor and Court of Aldermen ſhall direct.

XXXVI. The Sites and Materials of Churches not to be Re-built, are hereby veſted in the Lord Mayor and Court of Aldermen, that ſo much of the Ground as ſhall not be laid into Streets, may be ſold with the conſent of the Archbiſhop of *Canterbury* and Biſhop of *London*, the Money to be employed with like conſent toward the Re-building of ſuch Pariſh Churches as are to be Rebuilt.

XXXVII. St. *Pauls*, and St. *Faiths*, and St. *Gregories* Churches excepted.

XXXVIII. *Thames-Street* and the Ground betwixt it and the River ſhall be made three Foot higher.

XXXIX. No Building ſhall be erected, except Cranes and Sheds for preſent uſe within fourty Foot of any Key, Wall or Wharf bounding the River from *Tower-Wharf* to *London-Bridge*, nor from thence to the *Temple-Stairs*: nor any Building (Cranes excepted) within ſeventy Foot of the middle of *Bridewell-Dock*, *Fleet-Ditch*, and

and *Turnmill-Brook*, from the *Thames* to *Clarken-well*, before the 24th of *March* 1668.

XL. The Water-house called Mr. *Thomas Morris* his Water-house, formerly adjoyning to *London-Bridge*, shall be Re-built where it was, notwithstanding this Act.

XLI. *A Scheme of Proportions and Scantlings for Stories, Walls, and Timbers.*

	Division of Story.	Height of Story. Foot				Bricks			Bricks	
First sort of Houses.	Cellars	6	½		1st Floor	2			1	½
	1 Story	9			2d	1	½		1	½
	2 Story	9			3d	1	½		1	½
	Garrets					1			1	
Second sort of Houses.	Cellars	6	½	Thickness of Walls in Front and Reer.	1st Floor	2	½	Thickness of Party-Walls.	2	
	1 Story	10			2d	2			1	½
	2 Story	10			3d	2			1	½
	3 Story	9			4th	1	½		1	½
	Garrets					1			1	
Third sort of Houses.	1 Story	10			1st	2	½		2	
	2 Story	10	½		2d	1	½		1	½
	3 Story	9			3d	1	½		1	½
	4 Story	8	½		4th	1	½		1	½
	Garrets					1			1	

XLII. *Scantlings of Timber for the first sort of Houses.*

		Foot.	Inches.	Inches.
For the Floors.	Summers under	15	12 and	8
	Wall Plates		7 and	5

		Foot			
For the Roof.	Principal Rafters under	15	at foot 8 / at top 5	6 Inches.	
	Single Rafters		4 and	3 Inches.	
		Length.	Thickness		Depth.
Joysts		10	3	and	7 Inches.
Garret-Floors			3	and	6

XLIII. Scantlings of Timber for the other two ſorts of Houſes.

For the Floors.

	Breadth. Foot.	Breadth. Inches.	Depth. Inches.	Th'ckneſ. Inches.	Depth. Inches.
Summers or girders in length from	10 to 15	11 and	8	Joyſts which bear ten foot	3 — 6
	15 — 18	13 —	9		3 — 7
	18 — 21	14 —	10		3 — 7
	21 — 24	16 —	12		3 — 8
	24 — 26	17 —	14		3 — 8

	Inches.	Inches
Principal diſcharges upon Peers	13 — and —	12
In the firſt Story in the Fronts	15 — and —	13

	Thickneſs. Inches.	
Binding Joyſts with their Trimming Joyſts	5	depth equal to their own Floors.

	Inches.	Inches.
Wall-plates, or raiſing Pieces and Beams	10 — and —	6
	8 —	6
	7 —	5

	Inches.	Inches.
Lintels of Oak in the 1ſt and 2d. Story	8 — and —	6
3d. Story	5 —	4

For the Roof.

	Length. Foot.	Length. Foot.	Thickneſ. Inches.	Inches.
Principal Rafters from	15 — to — 18	at foot	9	7
		at top	7	
	18 — 21	at foot	10	8
		at top	8	
	21 — 24	at foot	12	8½
		at top	9	
	24 — 26	at foot	13	9
		at top	9	

	Length. Foot	Length. Foot.	Inches.	Inches.
Purlines from	15 — to	18 —	9 —	8
	18 —	21 —	12 —	9

	Foot.	Inches.
Single Rafters not exceeding in length	9 —	5 — 4
Single Rafters not exceeding in length	6 —	4 — 3½

XLIV. Scantlings for Sawed Timber and Laths not leſs than,

	Breadth. Foot.	Inches.	Thickneſs. Inches.
Single Quarters in length	8	3½	1¾
Double Quarters in length	8	4	3½
Sawed Joyſts in length	8	6	4
Laths in length	5 or 4	1¼	1 quarter & ½ an Inch.

Stone — Where Stone is uſed to keep to theſe Scantlings —

		Inches.
First ſort of Houſes	Corner Peers	18 ſquare
	Middle or ſingle Peers	14 and 12
	Double Peers between Houſe and Houſe	14 and 18
	Door-Jambs and Heads	12 and 18

		Foot.	Inches.
2d & 3d ſort of Houſes	Corner Peers	2	6 ſquare
	Middle or ſingle Peers		18 ſquare
	Double Peers between Houſe and Houſe		24 and 18
	Door-Jambs and Heads		14 and 10

	Foot.		Thickneſs.
Scantlings for Sewers	3 wide, 5 high	Side-Walls	1 Brick and ½
		Arch	1 Brick on end.

Bottom paved plain, and then one Brick an edge circular.

XLV. General Rules.

I. In every Foundation within the Ground, add one Brick in thickneſs to the thickneſs of the Wall, (as in the Scheme) next above the Foundation, to be ſet off in three courſes equally on both ſides.

II. That no Timber be laid within 12 Inches of the fore-ſide of the Chimney-Jambs: and that all Joyſts on the back of any Chimney be laid with a Trimmer of ſix Inches diſtance from the back.

III. That no Timber be laid within the Tunnel of any Chimney, on Penalty to the Workman for every Default, 10*s.* and 10*s.* every Week it continues unreformed.

IV. That no Joyſts or Rafters be laid at greater diſtances from one another than 12 Inches, and no Quarters at greater diſtance than 14.

V. That no Joyſts bear at longer Length than ten Foot, and no ſingle Rafters at more in Length than nine Foot.

VI. That all Roofs, Window-frames and Cellar-floors be made of Oak.

VII. The Tile-pins of Oak.

VIII. No Summers or Girders to lie over the Head of Doors and Windows.

IX. No Summer or Girder to lie leſs than ten Inches into the Wall; no Joyſts leſs than eight Inches, and to be laid in Lome.

XLVI. Stat. 22 *Car.* 2. *cap.* 11. The Mayor, Aldermen and Commons of the City in Common Council, may imploy ſuch places as with his Majeſties approbation are, or ſhall be ſet out before the 10*th* of *March* 1669. for Market-places, for enlargement and convenience of the *Royal Exchange*, *Guildhall*, the *Seſſions-Houſe* in the *Old-Baily*, and the common Gaols.

XLVII. The Mayor, Aldermen and Commons ſhall agree with the Owners of Ground imployed for the convenience of thoſe places, and enlarging the Streets in this Act mentioned, and in caſe of Refuſal, Diſability or Incapacity, may cauſe a Jury to be impannelled, whoſe Verdict and Judgment of the Mayor, *&c.* with payment of the Money into the Chamberlains Office, there to remain ſix Months, and after that, if no Controverſie ariſe by reaſon of different Claims made thereunto, to be paid to the Owners upon Demand, ſhall be Concluſive. And if any Controverſie ariſe concerning the ſame, as not equally and indifferently apportion'd according to the Value of the parties Intereſts, the Juſtices of the *Kings Bench*, and *Common-Pleas*, and Barons of the Coif of the *Exchequer*, or any three of them may hear and determine it within three months after the Verdict.

XLVIII. Copartners, Joyntenants and Tenants in common, or others having ſeveral Rooms in one Houſe, if ſome will build and others not, they that will may build and enjoy ſolely till they are reimburſed what the others ought to have contributed, with Intereſt at the rate of 6. *per cent.* from the covering of the Houſe: and in caſe of refuſal by the ſpace of two years, paying or tendering what the Intereſt of the others is worth, may hold ſuch Houſe againſt the parties refuſing. Differences about Charge of Building, or Value of the Eſtate, ſhall be determined by the Surveyors of the City or two of them, or if the parties refuſe to ſubmit to their determination, by the Mayor and Court of Aldermen without Appeal.

XLIX. Differences ariſing between ſeveral Owners of any Houſe or Houſes which may obſtruct the making of the Party-walls entire and upright, ſhall be determined in like manner.

L. The Mayor, Aldermen and Commons may enlarge the way of *Holborn-Bridge*, ſo as it may run in a Bevil line from a Houſe call'd the *Cock* to the *Swan Inn*.

LI. Corner-

LI. Corner-Peers of Stone or Brick to be erected ſhall be of the dimenſions of the Peers of Stone mentioned in the former Act. Builders of Corner-Houſes may uſe Oak-Timber inſtead of the Corner-Peers of Brick or Stone, of ſuch dimenſions as the Surveyers of the City ſhall direct.

LII. Water from the tops of Houſes fronting Streets, Lanes or Paſſages, ſhall be convey'd into the Channels by Pipes and Party-pipes.

LIII. The Streets or Paſſages from *Cheap-ſide* through *Soper-Lane* to *Thames-Street*, and thence to the River, and from the three Cranes to the River, ſhall remain as they now are: and the Marks for Raiſing or Sinking any Streets, as they are or ſhall be before the 29th of *Septemb.* 1671. ſhall be obſerved.

LIV. The Surveyers with as little variation as may be ſhall alter the ſaid Marks, ſo as Buildings erected before the 14th of *May* 1668. may receive as little dammage as may be: Owners upon their refuſal or being aggrieved by their determination, may Petition the Mayor and Court of Aldermen, whoſe determination ſhall be final.

LV. No Builders ſhall lay Foundations, till the Surveyors have viewed the ſame, and ſeen the Party-walls and Peers equally ſet out: before which Survey taken, the Builders ſhall go to the Chamberlain and enter their Names and the Places where their Buildings are to be, and pay 6 *s.* 8 *d.* taking an Acquittance for the ſame, upon ſhewing which to the Surveyors or any of them, they ſhall ſurvey and ſet out the Foundations within three days after ſuch Requeſt. Builders that have laid Foundations ſince the former Act, ſhall pay to the Chamberlain 6 *s.* 8 *d.* for every Foundation, in default whereof, he may ſue for it before the Mayor and Aldermen.

LVI. Perſons concerned to give obedience to the determination of the Alderman of the Ward, *&c.* by the former Act, or to the Mayor and Court of Aldermen by this Act, ſhall obey the ſame, under the Penalties that may be inflicted for any irregularly-built Houſe.

LVII. Differences concerning miſplacing, ſtraitning or ſtopping up common or private Entries, Alleys, Ways, Stairs and other Eaſements, ſhall be determined as differences concerning placing and ſtopping Lights and Water-courſes, are appointed to be determined by the former Act, and under the penalties for non-obedience that may be inflicted on irregular Builders. And all obſtructions to Lights, Water-courſes, Gutters, Alleys, Entries, Stairs, *&c.* may by Order of the Mayor and Aldermen be abated.

LVIII. Such Rates ſhall be taken and no other for Wharfage and Cranage, as ſhall be aſſeſſed by his Majeſty, a Table whereof ſhall be hanged up at every Wharf, on pain to forfeit 10 *l.* for every Offence with full Coſts of Suit to the Party grieved.

LIX. The Act for erecting a Judicature revived with additional powers, and to remain in force till the 29th of *Septemb.* 1671.

LX. The term of fourty years ſhall not be added to any Eſtate for Life, or term of years, ſo as to make the whole exceed ſixty years by any future Decree.

LXI. Where no Complaint or Requeſt ſhall be exhibited before the ſaid Judges and Barons before the 29th of *Septemb.* 1670. the Landlords or Proprietors may re-enter and avoid the intereſt of the Tenants in poſſeſſion, and other mean Tenants, and build.

LXII. Where Termors have omitted to rebuild, and their Landlords or their Aſſignees have built or begun to build, the Leaſes of ſuch Termors ſhall be void: but the Judges may make them ſuch Recompence as they think fit.

LXIII. Leaſes and Counterparts thereof ſhall be executed according to their Decrees, and ſhall be good in Law, any Law, Statute or inability notwithſtanding. Preſent and additional Terms may be conjoyned in one Leaſe.

LXIV. The ſaid Juſtices and Barons may decree Leaſes againſt Infants and their Truſtees, upon Petition of the Father, Mother, or next of Kin to them, not exceeding fifty one years, to ſuch as will undertake the rebuilding of ſuch Houſes, upon ſuch Terms as the ſaid Juſtices or Barons or three of them ſhall think fit, ſuch Infants when they come of Age, and in caſe of their Death, their Heirs, Executors, *&c.* ſhall execute ſuch Leaſes, and the Tenants the Counterparts.

LXV. Such Decrees ſhall bind Iſſues in Tail, and Remaindermen and Reverſioners.

LXVI. Perſons decreed to build and building accordingly, ſhall enjoy their Eſtates according to the Decree, notwithſtanding any other Intereſt in Law or Equity or Incumbrance whatſoever.

LXVII. Perſons decreed to pay Money may be ſued for the ſame in any Court of Record at *Weſtminſter* or *London*, and give the Decree in Evidence: Perſons decreed to do any Act, ſhall be liable to an Action upon the Caſe for non-performance, or may be enforced to perform the ſame by a Bill in Equity.

LXVIII. The ſaid Judges and Barons may hear and determine all Differences ariſing about Houſes in *London* conſumed by Fire within three years before the late dreadful Fire, in like manner as they may any matter herein mentioned.

LXIX. The ſaid Judges and Barons or three of them may determine all Differences ariſing by reaſon of enlarging ſeveral Streets, and making the new Streets called *Kings-ſtreet* leading from *Guild-hall* into *Cheapſide*, and *Queen-ſtreet* leading from *Soper-lane* to the *Thames*, &c.

LXX. There ſhall be paid for all Coals imported into the Port of the City of *London*, after the 1ſt of *May* 1670. and before the 24th of *June* 1677. 2 *s. per* Chaldron over and above the former Impoſition, and after the 24th of *June* 1677. till the 29th

of

of *Septem.* 1687. 3 *s. per* Chaldron: to be collected and levied as by the former Act is limited: and all powers, directions and provisions in the former Act relating to the Duty of 12 *d. per* Chaldron imposed thereby, shall be in force and be exercised for the collecting and levying the Duties aforesaid: the Moneys so to be received, to be paid into the Chamber of *London*, and from thence issued according to the appointment of this Act, *viz.* three fourth parts of what shall be raised after the first of *May* 1670. and before the 24th of *June* 1677. shall be imployed toward the rebuilding of Parish Churches, according to Order from the Archbishop of *Canterbury*, the Bishop of *London*, and the Lord Mayor of *London* for the time being, or any two of them, by Warrant under their Hands and Seals: and the other fourth part for giving satisfaction for Grounds set out for enlarging Streets, making Wharfs, Market-places, and other publick uses in this and the former Act mentioned: and one moiety of Moneys which shall be raised after the 24th of *June* 1677. for the Re-building, *&c.* of Parish-Churches by Warrant as aforesaid, and the other moiety for giving Satisfaction for Ground set out and imploy'd as aforesaid.

LXXI. 10 *s.* out of every 100 *l.* shall be defalked for the use of the City, in lieu of the Trouble and Charges attending the Receit and Payment thereof.

LXXII. One fourth part of the Money appointed for building Parish-Churches may be imploy'd towards the building the Cathedral Church of St. *Paul.*

LXXIII. The Archbishop of *Canterbury*, Bishop of *London*, and Lord Mayor for the time being may engage the Profits arising by the said Impositions, and appointed for building Churches, to any persons that will advance Money upon that security: the Money borrowed to be imployed accordingly; and may assign such proportions of Moneys out of the said Impositions, to such as will secure the advancement of present Money for building their Parish-Churches. And the Mayor, Commonalty, and Citizens of *London* may engage the residue of the Profits arising by the said Impositions, as security for Money taken up for that purpose, and may assign any sum or sums to be paid of course to any whose Grounds shall be taken as aforesaid. *V. postea, Sect.* 124.

LXXIV. There shall be left a Key or open Wharf from *London*-Bridge to the *Temple*, fourty foot broad; and in order thereunto, all Buildings, Sheds, *&c.* within fourty foot Northward of the *Thames*, shall within eight months ensuing be taken down and removed, and the Buildings to front the said Key shall be of the second or third Rate of Buildings, observing Uniformity as in other Streets. *See more in the Statute at large.*

LXXV. *Bridewell-Dock* shall be made Navigable from the *Thames* to *Holborn-Bridge*: and the Ground set out for the breadth of the Channel and of the Wharfs on each side shall not be less in breadth than 100 foot, nor exceed 120 the line of the Channel, and the

Wharfs

Wharfs and Levels thereof, together with the Cranes and Stairs to be placed thereon, ſhall be aſcertain'd by the Lord Mayor and Court of Aldermen, with the Kings approbation, and ſet out by Surveyors before the firſt of *May* next: the charge to be defrayed by the Mayor, Commonalty and Citizens of *London* out of the fourth part of the Impoſition upon Coals. For giving Satisfaction for Ground imploy'd as aforeſaid, or impair'd, and raiſing of Money upon ſuch as are meliorated, the authorities and forms of proceedings in the former Act ordained in like caſes, ſhall be obſerved. The return of the Key about *White-Friers-Dock* ſhall not exceed the breadth of twenty foot.

LXXVI. No Houſes built upon the ſcite of any Houſe burnt or demoliſhed ſhall be liable to any incumbrance by any matter before the Fire, beſides what the value of the Ground unbuilt would extend to ſatisfie, unleſs ſuch incumbrances as were contracted by the now Owners.

LXXVII. If any perſons lawfully poſſeſs'd and eſteem'd Owners of Ground for the ſpace of twenty one years, ſhall grant Leaſes upon valuable Ground-Rents, ſo to be eſteem'd by the Mayor and Aldermen or three of them, though ſuch Lands be recovered from the Grantor, the Leaſes ſhall be good, the Builders paying the Ground-Rents only to the right Owners.

LXXVIII. The Water-houſe near *Broken-wharf* may be built with Timber. No continuance of the ſaid reſtraint from building ſhall extend to the Water-houſe at *London-Bridge*. Proprietors of Ground may leave old Foundations unbuilt to make new Streets or Paſſages, or enlarge old ones, paving and amending the ſame within convenient time after their building.

LXXIX. The Mayor and Court of Aldermen may cauſe a Street to be opened fourteen foot wide, from the Weſt end of *Threadneedle-Street* down to *Lothbury*, if the Proprietors do it not before the 24th of *June* next, making allowances as by the former Act for opening of Streets is directed.

LXXX. The remainder of *Bury-ſtreet* in *Bevis-marks*, yet unbuilt, may be built after the Model of the other new Building in the ſame Street.

LXXXI. All Ground taken out of the Streets and Lanes ſhall be united to the Houſes, the Owners thereof giving Satisfaction for ſuch Ground according to the uſual Rates.

LXXXII. The Mayor, Commonalty and Citizens of *London* ſhall have a Market three or four days of the Week upon the Ground now ſet out by the Dean and Chapter of St. *Paul*, *London*, within *New-gate*: the Dean and Chapter ſhall make Leaſes thereof to the City, and of the Wall of the Church-yard about upon *Pater-Noſter-Row* and the *Old-Change*, for fourty years, at 4 *l.* yearly Rent for the Market place, and 2 *d.* for every ſuperficial foot of the ſoil of the Wall: and ſo from fourty years to fourty years, for ever: one years Rent to be paid by way of Fine: no building ſhall be erected

on

on the Market place other than the Market-house already built, without consent of the Dean and Chapter.

LXXXIII. The number of Parishes to be settled, and of Parish-Churches to be rebuilt shall be Fifty one, in lieu of those that are burnt and demolished. *For their Names, see the Act at large, as also for their Dimensions and Method of Building, their unions, Rates and Charges.*

LXXXIV. This Act shall not deprive the present Incumbents now in possession of any the Churches not to be rebuilded of the Profits thereunto belonging, so long as they assist in serving the Cure and other Offices according to the Ordinaries direction in the Church whereto their Parishes shall be united. Saving to the King the first Fruits and Tenths of such Churches, consolidated as aforelaid, and saving the Rights of Strangers.

LXXXV. The Warden and *Minor* Canons of St. *Pauls* shall enjoy the Duties arising within St. *Gregories* Parish, as before this Act.

LXXXVI. The scites of the Parish-Church impropriate of St. *Mary Cole-Church* are hereby settled upon the Wardens and Commonalty of the *Mercers* Company, who shall pay to the Lord Mayor and Aldermen of *London* for the same, such sum of Money towards the Rebuilding of the Church whereunto the same is by this Act appointed to be united, as shall be agreed on or assessed by a Jury, as in other cases by the former Act is appointed.

LXXXVII. Incumbents Indempnified as to Re building their Chancels, Parsonage and Vicarage-houses, and from the payment of all First Fruits, Tenths, and Pensions due to the King, and all other Dues whatsoever till they receive the Profits as formerly. Ministers presented since the Fire indemnified for not reading the Thirty nine Articles, or not doing other things enjoyn'd by Law, till the Churches are made fit for Publick Worship.

LXXXVIII. Parsons and Vicars may let their Glebe-Lands with consent of Patron and Ordinary for any term not exceeding fourty years, at such Rent without Fine as can be obtained: no laps incurr'd since the Fire shall make void any presentation made since by the Patron, whereupon the Incumbent is inducted.

LXXXIX. If the Mayor, Commonalty and Citizens are concern'd as parties in any Difference whereof the determination is by this Act referr'd to the Mayor and Court of Aldermen; the Justices of the *Kings Bench*, *Common-Pleas*, or Barons of the *Exchequer* of the Coif shall finally determine it.

XC. A Postern shall be made on either side *Ludgate*; for which purpose the Gate may be enlarged.

XCI. The Mayor, Aldermen and Common Counsel shall not proceed to sell any Ground for not building on it before the 24th of *March* 1671. and any person may leave part of the ancient Foundation unbuilt to make a Court, Yard or Gardens, backwards.

XCII. Te-

XCII. Tenants in Tail, Tenants for Life, Lives or Years determinable upon Lives, may Demiſe Ground of burned Houſes without Fines, at the moſt improved yearly Rent to ſuch as will Build, for any Term not exceeding 50 years.

XCIII. His Majeſty and his Privy-Council ſhall determine all Differences touching *Serjeants-Inn* in *Fleet-ſtreet*: and may Decree a Leaſe to be made thereof not exceeding 60 years, to the uſe of the Society of the Judges and Serjeants at Law.

XCIV. The ſaid Juſtices and Barons, or three of them, may determine all Differences ariſing between Landlords and Tenants concerning the Houſes blown up or pulled down for ſafeguard of the Tower, as if they had periſhed by the late Fire.

XCV. Defendants in Actions for any thing done in Execution of this or the former Act, may Plead the General Iſſue, and give the Acts in Evidence; and if a Verdict paſs for the Defendant, or the Plaintiff be Non-ſuit, or Diſcontinue after the Defendant hath appeared, the Defendant ſhall have double Coſts.

XCVI. This Act ſhall not make void any thing done by virtue of any Commiſſions granted by his Majeſty, his Heirs or Succeſſors in purſuance of two Acts of Parliament, one in the firſt year of Queen *Elizabeth*, and another in the fourteenth of the preſent King, or of any Right or Law, whereby his Majeſty, *&c.* may appoint Wharfs and Keys, and declare the Bounds and Priviledges of the Port of *London*, *&c.*

XCVII. Stat. 22 & 23 *Car.* 2. *cap.* 14. An Act for determination of Differences touching Houſes burnt or demoliſhed within four years ſince the late dreadful Fire in *London*. *See the Statute at large.*

XCVIII. Enacted likewiſe, That the Mayor, Aldermen and Common-Council of the City of *London* ſhall not ſell any Ground, whereon any Houſe ſtood at the time of the late dreadful Fire, for not Building thereon before the 29th of *September* 1672.

XCIX. The Maſter and Chaplains of the *Savoy* may Demiſe the Brothers Lodgings there for any Term not exceeding fourty years, under ſuch yearly Rents as they can procure, without Renewing.

C. Stat. 22 & 23 *Car.* 2. *cap.* 15. The annual Tithes of Pariſhes in *London* whoſe Churches were demoliſhed or conſumed by the late Fire, and which remain ſingle, or are united, ſhall be as follows, *viz.*

	l.	s.	d.
The Pariſh of *Allhallows Lombard-ſtreet*	100	00	00
St. *Bartholomew Exchange*	100	00	00
St. *Bridget*, alias *Brides*	120	00	00
St. *Bennet Fink*	100	00	00
St. *Michael crooked-lane*	100	00	00
St. *Chriſtopher*	120	00	00
St. *Dionis Back-Church*	120	00	00

St. *Dunſtan*

	l.	s.	d.
St. *Dunſtan in the Eaſt*	200	00	00
St. *James Garlick-Hythe*	100	00	00
St. *Michael Cornhill*	140	00	00
St. *Michael Baſſiſhaw*	132	11	00
St. *Margaret Lothbury*	100	00	00
St. *Mary Aldermanbury*	150	00	00
St. *Martin Ludgate*	160	00	00
St. *Peter Cornhill*	110	00	00
St. *Stephen Coleman-ſtreet*	110	00	00
St. *Sepulchre*	200	00	00
Alhallows Bread-ſtreet and St. *John* the *Evangeliſt*	140	00	00
Alhallows the *Great* and *Alhallows* the *Leſs*	200	00	00
St. *Alban Woodſtreet* and St. *Olaves Silverſtreet*	170	00	00
St. *Anne* and *Agnes* and St. *John Zachary*	140	00	00
St. *Auguſtine* and St. *Faith*	172	00	00
St. *Andrew Wardrobe* and St. *Anne Black-friers*	140	00	00
St. *Antholin* and St. *John Baptiſt*	120	00	00
St. *Bennet Grace-Church* and St. *Leonard Eaſt-cheap*	140	00	00
St. *Bennet Pauls-wharf* and St. *Peter Pauls-wharf*	100	00	00
Chriſt-Church and St. *Leonard Foſter-lane*	200	00	00
St. *Edmund the King* and St. *Nicholas Acons*	180	00	00
St. *George Botolph-lane* and St. *Botolph Billingſgate*	180	00	00
St. *Lawrence Jury* and St. *Magdalen Milk-ſtreet*	120	00	00
St. *Magnus* and St. *Margaret New-Fiſh-ſtreet*	170	00	00
St. *Michael Royal* and St. *Martin Vintry*	140	00	00
St. *Matthew Friday-ſtreet* and St. *Peter Cheap*	150	00	00
St. *Margaret Pattons* and St. *Gabriel Fanchurch*	120	00	00
St. *Mary at Hill* and St. *Andrew Hubbard*	200	00	00
St. *Mary Woolnoth* and St. *Mary Woolchurch*	160	00	00
St. *Clement Eaſt-cheap* and St. *Martin Orgars*	140	00	00
St. *Mary Abchurch* and St. *Lawrence Pountney*	120	00	00
St. *Mary Aldermary* and St. *Thomas Apoſtles*	150	00	00
St. *Mary le Bow*, St. *Pancras Soper-lane* and *Alhallows Honey-lane*	200	00	00
St. *Mildred Poultry* and St. *Mary Colechurch*	170	00	20
St. *Michael Woodſtreet* and St. *Mary Staining*	100	00	00
St. *Mildred Breadſtreet* and St. *Margaret Moſes*	130	00	00
St. *Michael Queen-Hythe* and *Trinity*	160	00	00
St. *Magdalen Old-Fiſh-ſtreet* and St. *Gregory*	120	00	00
St. *Mary Somerſet* and St. *Mary Mounthaw*	110	00	00
St. *Nicholas Coleabby* and St. *Nicholas Olaves*	130	00	00
St. *Olave Jewry* and St. *Martin Ironmonger-lane*	120	00	00
St. *Stephen Walbrook* and St. *Bennet Sherehog*	100	00	00
St. *Swithin* and St. *Mary Bothaw*	140	00	00
St. *Vedaſt*, alias *Foſters*, and St. *Michael Quern*	160	00	00

Theſe Sums to be the annual Maintenance (beſides Glebes and Perquiſites, Gifts or Bequeſts) of the reſpective Parſons, Vicars and Curates.

CI. Aldermen or their Deputies, and Common-Council-men of the ſeveral Wards, with the Churchwardens, and one or more Pariſhioners of the reſpective Pariſhes, to be nominated by ſuch Alderman, Deputy, Common-Council-men, and Churchwardens, or any five of them, whereof the Alderman or his Deputy to be one, ſhall before the 30th of *May* 1671. Aſſeſs upon all Hereditaments whatſoever, except Parſonage and Vicarage-houſes, the reſpective Sums, or ſo much of them as is more than what each Impropriator is by this Act enjoyned to allow, the ſaid Aſſeſſments to be finiſhed before the 24th of *July* then next enſuing.

CII. Perſons aggrieved by ſuch Aſſeſſment may complain to the Mayor and Court of Aldermen within fourteen days after notice thereof, who ſummoning the parties aggrieved, and thoſe that made the Aſſeſſment, may determine the ſame in a ſummary way, without Appeal.

CIII. Aſſeſſments made by virtue of this Act, may be reviewed and altered within three months after the 24th of *June* 1674, according to the aforeſaid Rules, and again within three months after the 24th of *June* 1681, every ſuch new Aſſeſſment to be liable to the like Appeals, as aforeſaid.

CIV. If the ſaid Alderman, Deputy, *&c.* after Summons and Requeſt by the Mayor and Court of Aldermen, or Incumbents of the ſaid Pariſhes, ſhall neglect to make ſuch Aſſeſſments, perſons authorized and required by the ſaid Alderman, Deputy, *&c.* may do the ſame.

CV. The Aſſeſſors within ten days after ſuch Aſſeſſments made, and the reſpective Appeals, if any be determined, ſhall make three Tranſcripts thereof in Parchment, and ſubſcribe the ſame, one of which ſhall within twenty days after ſuch Subſcriptions be returned to the Lord Mayor of *London*, to be kept among the Records of the City; another into the Regiſtry of the Lord Biſhop of *London*, and the other ſhall remain in the Veſtry of ſuch reſpective Pariſh.

CVI. The Sums ſo Aſſeſſed ſhall be paid at the four uſual Feaſts, or within fourteen days after each, by equal payments: the payments to begin from ſuch time as the Incumbents ſhall begin to Officiate in the reſpective Pariſh Church, or ſome Place to be nominated by the Biſhop of *London*, or the Archbiſhop of *Canterbury* within his Peculiars.

CVII. The Impropriators of any of the ſaid Pariſhes ſhall allow what they ought to do before the Fire, ſuch Allowance to be eſteemed part of the Incumbents Maintenance.

CVIII. Upon refuſal of Inhabitants to pay the Sums hereby appointed to be paid, upon demand made at the Premiſes whereout the ſame is payable, the Lord Mayor of *London*, upon Oath of ſuch refuſal,

refuſal, may grant Warrants for the Collector with aſſiſtance of a Conſtable, to Levy the ſame by Diſtreſs and Sale of the parties Goods, reſtoring the overplus.

CIX. If the Lord Mayor and Court of Aldermen ſhall neglect to execute the Powers hereby granted, the Lord Chancellor or Keeper of the Great Seal, or two Barons of the Exchequer, may by Warrants under their Hands and Seals, do what the Lord Mayor, *&c.* ought to have done.

CX. Where the Pariſhes have become vacant ſince the Fire, the ſurviving Incumbents of Pariſhes therewith conſolidated, ſhall have like remedy for the Tythes hereby ſettled, as if actually Preſented, *&c.* into both Pariſhes ſince the Union.

CXI. No Court or Judge ſhall hold Plea of Money due by virtue of this Act, other than the perſons hereby authorized.

CXII. The Warden and Minor Canons of St. *Pauls* may receive the Duties ariſing within the Pariſh of St. *Gregory* as heretofore.

CXIII. Stat. 22 & 23 *Car.* 2. *cap.* 17. A Clauſe in a late Act of this preſent Parliament, Entituled, *An Act for the Re-building of the City of London*, wherein was Enacted, That the numbers and places for Common-ſewers, Drains and Vaults, and the manner of paving and pitching Streets and Lanes in the ſaid City and Liberties, ſhould be ſet out by perſons appointed by the Mayor, Aldermen and Common-Council, or ſeven of them, together with the Surveyors or one of them, within their Precincts reſpectively, which perſons, or ſeven of them were impowred to impoſe Taxes upon Houſes, in proportion to the benefit they receive thereby, and to Levy the ſame by Diſtreſs and Sale of Goods; and all other Commiſſioners forbidden to intermeddle in the Premiſes for the ſpace of ſeven years, and till the intended Building ſhould be finiſhed; is hereby made perpetual, together with the Powers thereby given and appointed to be executed.

CXIV. The ſole Powers of regulating the keeping clear, pitching and paving the Streets, *&c.* with the manner thereof, and of making and cleanſing Drains and Sewers, ſhall remain in the Mayor, Commonalty and Citizens, to be executed by ſuch as the Mayor, Aldermen and Commons in Common-Council ſhall appoint, or ſeven of them, being all Members of the ſaid Court.

CXV. Perſons employed in any the ſaid Works, enjoyned to obſerve the Directions of the perſons in that behalf authorized.

CXVI. Offenders may be proceeded againſt at the next Seſſions of the Peace for the ſaid City and Liberties, unleſs they ſubmit to the Cenſure of the perſons in that behalf authorized, and pay the Mulct by them impoſed, to the Chamber of *London*, to be employed toward the Works in this Act mentioned.

CXVII. The perſons ſo authorized may impoſe Taxes upon the ſeveral Wards and Precincts, and direct Precepts to the reſpective

ctive Deputies and Common-Council men, to Aſſeſs the ſame in manner following; and like Precepts to Scavengers to Collect the ſame.

CXVIII. Where any Church or Church yard ſhall front any Street, *&c.* they may Aſſeſs a reaſonable proportion upon the Pariſh, to be paid by the Churchwardens: of which Aſſeſſments the Deputies and Common-Council-men ſhall return Duplicates with the Scavengers Names, within twenty days after receipt of the Precepts, in default of the ſaid Deputies and Common-Council, the ſaid perſons to be authorized may rate the ſaid Aſſeſſments: in default of payment within ſix days after demand, the Scavengers may Levy the ſame by Diſtreſs and Sale of Goods, *&c.*

CXIX. The Money ſo Collected to be paid into the Chamber of *London*, not to be iſſued thence, but by Order of the ſaid perſons ſo to be appointed, or ſeven of them.

CXX. Inhabitants aggrieved through defect or decay of Pavements, or want of cleanſing the Streets, *&c.* ſhall upon proof that ſuch Grievance is unreformed, receive directions from the perſons ſo to be authorized, or ſeven of them, for redreſſing the ſame, and a Warrant to the Chamberlain of *London*, to iſſue Moneys for defraying the Charge thereof, together with any Sum for encouragement of their diligence, not exceeding 10 *s.*

CXXI. The Mayor, Aldermen and Commons in Common-Council may ſet out and purchaſe Ground for Layſtalls and Places for publick Stores, for receit of Dirt and Rubbiſh, carried out of the City, and for other Materials and Commodities: the Money for the ſame to be paid out of the Moneys ariſing by the Impoſition upon Coals appointed for publick uſes of the City, other than the Money appointed for building Churches.

CXXII. Perſons aggrieved by any Charge impoſed by virtue of this Act, within five days after demand thereof may appeal to the Mayor and Court of Aldermen, whoſe Order therein ſhall be final.

CXXIII. No perſons by this Act made liable to be rated towards the altering, mending or cleanſing the ſaid Vaults, Sewers, or cleanſing, *&c.* Streets, Lanes, *&c.* ſhall after the firſt of *May* 1671, be otherwiſe charged or liable thereunto.

CXXIV. Stat. 1. *Jac.* 2. *cap.* 15. For Enabling the Lord Archbiſhop of *Canterbury*, the Lord Biſhop of *London* and the Lord Mayor of *London* for the time being, to finiſh the Cathedral of St. *Pauls*, There ſhall be paid for all Coals which after the 29th of *Sept.* 1687, and before the 29th of *Sept.* 1700, ſhall be imported into the Port of *London* or the River of *Thames* within the liberty of the ſaid City, upon the River, beſides all other Duties, according to theſe Rates, *viz.* for all Coals or Culm ſold by the Chaldron, 18 *d. per* Chaldron, and for Coals ſold by the Tun 18 *d. per* Tun: which Impoſition ſhall be paid to the ſaid Lord Archbiſhop, Lord Biſhop, and Lord Mayor for the time being, or any two of them;

them, or their Deputies appointed under Seal, before breaking of Bulk, or before a Meeter be aſſigned, and at ſuch Place or Places as they or any two of them ſhall appoint: upon the Payment a Receipt ſhall be given without Fee.

CXXV. The Coal-meeters, ſo ſoon as any Veſſel freight with Coals, ſhall be unladen, ſhall Certifie in Writing to the Deputy or Deputies of the ſaid Lord Archbiſhop, *&c.* the ſorts, quantities, or number of Chaldrons or Tuns of Coals, on pain to be ſuſpended from their Office and benefit thereof one whole year, and to forfeit Ten pounds. And if it ſhall appear by ſuch Certificate or otherwiſe, that there was on board any ſuch Veſſel a greater number of Chaldrons or Tuns, then for which the Impoſition ſhall have been paid; in ſuch caſe there ſhall be paid to the ſaid Lord Archbiſhop, *&c.* for every Chaldron or Tun concealed, over and above the ſaid Impoſition, the further Sum of Five ſhillings. For all which Impoſitions the Veſſels, their Tackle or Furniture, may be attached and detained till payment.

CXXVI. Provided, That if the Importer ſhall within 24 hours after ſuch Certificate, give in his Poſt-Entry and pay the whole Duty, upon ſuch Payment the Penalty ſhall be diſcharged.

CXXVII. The ſaid Lord Archbiſhop, *&c.* may by Warrant appoint Officers to go on board all Veſſels laden with Coals, and to inſpect the Coal-meeters in their Work, and to Certifie as directed by the Warrant.

CXXVIII. There ſhall be kept by the ſaid Lord Archbiſhop, *&c.* or their Deputies, one or more Book or Books of Parchment, in which all Moneys to be received upon the Impoſition aforeſaid, ſhall be entred: and other like Book or Books, wherein the Accounts of all Diſburſements ſhall be Entred, expreſſing the time, occaſion and perſons to whom paid; and perſons in any wiſe concerned, ſhall have free acceſs to the ſaid Books, when the Office is open, without Fee. And the ſaid Lord Archbiſhop, *&c.* ſhall before the end of *Michaelmas*-Term in every year after 1687, tranſmit into the Receipt of the Exchequer, an Abſtract of the ſaid Books of Accounts, containing the Receipts and Diſburſements in the year preceding, and ending on the 24th of *June* next before, there to be received *gratis* and kept amongſt the Records of that Court; where any perſons concerned may have acceſs to and view the ſame without Fee, *&c.*

CXXIX. The Money to be raiſed by vertue of this Act ſhall be diſpoſed towards the finiſhing and adorning the ſaid Cathedral, according to ſuch Direction as the ſaid Lord Archbiſhop, Lord Biſhop, and Lord Mayor, or any two of them, ſhall give: and ſhall be paid to ſuch perſons, as they by Warrant under Seal ſhall appoint.

CXXX. Any part of the ſaid Moneys, not exceeding 4 *d.* in the pound, may be diſpoſed of to ſuch perſon or perſons, as ſhall from time to time be appointed to be Treaſurer or Treaſurers, Paymaſters, Book-keepers, *&c.*

CXXXI. The ſaid Lord Archbiſhop, *&c.* may by Indenture engage the Profit ariſing out of the ſaid Impoſitions, as a Security for Money by them to be borrowed for the purpoſes of this Act.

CXXXII. In any Action brought for any thing committed or done by ver tue of this Act, the Defendant may Plead the General Iſſue, (Not guilty) and give this Act and the ſpecial Matter in Evidence; and if a Verdict paſs for the Defendant, or the Plaintiff be Nonſuit, or diſcontinue after appearance, the Defendant ſhall recover double Coſts.

CXXXIII. All Moneys to be received upon the ſaid Impoſition ſhall be paid to ſuch Perſon or Perſons as the ſaid Lord Archbiſhop, *&c.* ſhall appoint under Seal, he or they giving Security to the Dean and Chapter of *Pauls*, for the repayment thereof. The Security to be approved under the Hands of the Lord Chancellor or Keeper, the two Chief Juſtices and Chief Baron of the Exchequer, or any two of them.

CXXXIV. The ſaid Lord Archbiſhop, *&c.* may by Warrant appropriate ſuch part of the Impoſition granted by this Act, as ſhall in their Diſcretions ſeem ſufficient, for compleating ſuch Parochial Churches in *London*, as may happen to remain unfiniſhed at the expiration of the Act made *Anno* 22. *Car.* 2. ſo as the ſame do not exceed one fifth part of the ſaid Impoſition.

CXXXV. This Act ſhall not extend to charge a certain yearly Allowance of One hundred Chalders of Coals, which are to be anſwered and delivered by the Mayor and Burgeſſes of *Newcaſtle* upon *Tine*, for the uſe of *Chelſey* Hoſpital: the ſaid Mayor and Burgeſſes giving notice to the ſaid Archbiſhop, *&c.* of the intended delivery of ſuch Coals, three days at leaſt before the delivery thereof.

Lords.

I. Stat. 31 *H.* 8. 10. A Direction how Lords and other great Officers are to be placed in Parliament. *See the Statute at large.*

☞ Mainprizal and Bail.

I. Marlbr. 52 *H.* 3. 27. Albeit a Clerk, being upon an Offence againſt the Crown (after Arreſt) let to Bail or Replevied by the Kings Command, will not, or cannot (by reaſon of his Clerks Office) make Anſwer before the Juſtices; yet ſhall not thoſe who let him to Bail, or his Sureties, be Amerced, ſo as he appears before the Juſtices.

II. Weſt. 1. 15. 3 *E.* 1. Foraſmuch as before this time it hath not been determined what perſons are Repleviable, and what not, ſave only ſuch as be taken for the death of a Man, or by the Command of the King or his Juſtices, or for the Foreſt; it is now provided, That perſons Outlawed, and ſuch as have abjured the

Realm, Provers, and ſuch as be taken with the manner, Priſon-breakers, Thieves, openly defamed and known, Apellees by Provers, (during the life of ſuch Provers) Houſe-burners, Counterfeiters of the Kings Seal or Coin, Excommunicate perſons, manifeſt Offenders and Traitors, are not Repleviable by common Writ, or without Writ.

III. Perſons guilty of Larceny by Inqueſts taken before Sheriffs or Bailiffs, or of petty Larceny, not before detected, or acceſſary to any Felony, or only guilty of ſome light ſuſpicion, are Bailable by good Sureties, for which the Sheriff ſhall be anſwerable.

IV. If any Sheriff or other, having the cuſtody of a Priſon, ſet any at large by Surety who is not Repleviable, and be thereof Attainted, he ſhall loſe his Fee and Office for ever: and if any Under-Officer doth it, he ſhall ſuffer three months Impriſonment, and make Fine at the Kings will.

V. If any withhold Priſoners Repleviable, after they have tendered ſufficient Surety, he ſhall be grievouſly Amerced; and if he take any Reward for the deliverance of ſuch, he ſhall pay double to the Priſoner, and be alſo grievouſly Amerced.

VI. Stat. 3 *H.* 7. 3. Two Juſtices (1 *Quor.*) have power to let to Bail perſons Bailable by Law, until the next Quarter-Seſſions or Gaol-delivery, and ſhall there certifie the ſame, in pain of Ten pound.

VII. The Sheriff and all others having the cuſtody of Gaols, ſhall certifie the Names of all Priſoners in their cuſtody, to the Juſtices of Gaol-delivery, at their general Gaol-delivery, in pain to forfeit for every ſuch Default, Five pound.

VIII. The Statute of 1 *R.* 3. 3. which gave power to one Juſtice of Peace, to Bail Priſoners, is Repealed.

IX. Stat. 1, 2 *P. M.* 13. None ſhall be let to Bail, which are forbidden to be Bailed by 3 *E.* 1. 15.

X. None Arreſted for Man-ſlaughter or Felony (or ſuſpicion thereof, being Bailable by Law) ſhall be let to Bail, ſave only in open Seſſions, or by two Juſtices, (1 *Quor.*) being both preſent at the time of ſuch Bailment, which ſhall be certified (together with the Examination of the Priſoner, and the Information of the Accuſers) under their own Hands, at the next Gaol-delivery; and ſuch Examination and Information ſhall be taken before the Bailment.

XI. The ſaid Juſtices have power to bind by Recognizance all ſuch as can declare any thing material againſt the Priſoner, to appear at the Gaol-delivery, and ſhall there make Certificate of the ſaid Recognizance.

XII. The Juſtices that offend any Branch of this Act, are liable to be Fined by the Juſtices of Gaol-delivery.

XIII. This Act ſhall not reſtrain Juſtices within *London* and *Middleſex* to let to Bail Priſoners, as heretofore they have uſed; only they ſhall certifie their Examinations, Bonds and Bailments, at the next Gaol-delivery of their Juriſdiction, in pain to be Fined as aforeſaid.

XIV. Every *Habeas Corpus* or *Certiorari* for the removing of a Priſoner, ſhall be Signed by the Chief Juſtice, or one of the Juſtices of the Court out of which the Writ iſſues, in pain of 5 *l.* to be forfeited by the Writer.

XV. Stat. 2 & 3 *P. & M.* 10. One accuſed of Manſlaughter or Felony, who, for want of Bail, is to be ſent to the Gaol, muſt be Examined by the Juſtice before he ſends him thither, and the Accuſers muſt be bound over to give in Evidence againſt him, whoſe Information muſt alſo be taken and committed to Writing within two days after at fartheſt, and all certified in at the next Gaol-delivery, as by the Statute of 1 & 2 *P. M.* 13. is limited, upon the Penalty therein expreſſed.

XVI. Stat. 2. 13 *Car.* 2. *cap.* 2. None Arreſted by Proceſs out of the Kings-Bench or Common-Pleas, in which Proceſs the true cauſe of Action is not expreſſed, and for which the Defendant is Bailable by 23 *H.* 6. *cap.* 10. ſhall be forced to enter into Bond with Sureties for appearance in any Sum exceeding 40 *l.* which Bond, after Appearance entred by Attorney, ſhall be diſcharged, and after that, no Amerciaments ſhall be ſet upon any Officer or other perſon concerning ſuch Appearance: and unleſs the Plaintiff put in his Bill or Declaration before the end of the next Term, a Non-ſuit may be entred, and the Defendant ſhall have Judgment for Coſts, according to 23 *H.* 8. *cap.* 15. This Act ſhall not extend to Writs of *Capias utlagatum*, Attachments upon Reſcous, Attachment of Priviledge, or any Attachment of Contempt.

Maintenance.

* I. Weſt. 1. 28. 3 *E.* 1. No Clerk of the King, or of any Juſtice, ſhall receive the Preſentment of any Church for which there is Debate in the Kings Court, without the Kings ſpecial Licence, in pain to loſe the Church and his Service: And no Clerk of any Juſtice or Sheriff ſhall take part in any Suits, or uſe fraud, whereby common Right may be delayed, in pain to be puniſhed as aforeſaid, and more grievouſly, if the Treſpaſs require it.

II. Stat. 1 *E.* 3. *Parl.* 2. 14. None ſhall maintain Quarrels and Parties in the Countrey, to the Let and Diſturbance of the Common Law.

III. Stat. 20 *E.* 3. 4. None ſhall maintain any Quarrels ſave their own, in pain to have their Body, Lands and Goods to be at the Kings pleaſure.

IV. Stat. 1 *R.* 2. 4. No great Officer of the King ſhall maintain Quarrels in the County, in pain of a Fine to be impoſed by the King and his Council; and no other perſon, in pain of Impriſonment, and to be Fined at the Kings will: and if he be the Kings Officer, or Houſhold-Servant, he ſhall alſo loſe his Office.

V. Stat.

V. Stat. 7 *R.* 2. 15. The Statutes of 1 *E.* 3. *Parl.* 2. 14. 4 *E.* 3. 11. (*which ſee in* Niſi prius) 1 *R.* 2. 4. and 1 *R.* 2. 9. (*which ſee in* Feoffments) made againſt Maintenance and Champerty, ſhall be duly put in Execution.

* VI. Stat. 32 *H.* 8. 9. All Statutes which concern Maintenance, Champerty and Embracery, ſhall be duly put in Execution.

VII. None ſhall buy any pretended Right or Title to any Land, unleſs the Seller hath taken the Profits thereof one whole year next before ſuch Bargain, in pain that both the Buyer and Seller ſhall each of them forfeit the value of the ſame Land, to be divided betwixt the King and the Proſecutor.

VIII. None ſhall unlawfully maintain any Suit or Action, retain any perſon for Maintenance, embrace Jurors, or ſuborn Witneſſes, to the hindrance of Juſtice, or procurement of Perjury, in pain to forfeit for every ſuch Offence 10 *l.* to be divided betwixt the King and the Proſecutor.

IX. Howbeit, purchaſing of a pretended Title by him that is already lawfully poſſeſſed of the thing whereunto Title is made, is lawful.

X. Proclamations ſhall be made at the Aſſizes of the Statutes made againſt Maintenance, Champerty, Embracery, and unlawful Retainers.

XI. The Offenders againſt this Act ſhall be proſecuted within one year.

☞ Malt.

I. Stat. 17 *R.* 2. 4. Malt made in the Counties of *Huntingdon*, *Cambridge*, *Northampton*, and *Bedford*, and brought to *London* for the proviſion of the Court and City, ſhall be well cleanſed from Duſt and other Filth: and Mayors, Bailiffs and Wardens of Towns and Places where it is ſold, have power to make ſearch, and to ſee Defaults redreſſed.

* II. Stat. 2 & 3 *E.* 6. 10. None ſhall employ leſs time in the making and drying of Malt, except in the Months of *June*, *July*, and *Auguſt*, then three weeks; nor in thoſe Months leſs than ſeventeen days; nor put to ſale any Malt mingled of good and bad: in pain to forfeit for every Quarter ſo put to ſale, 2 *s.* to be divided betwixt the King and the Proſecutor.

III. None ſhall put any Malt to ſale before (by treading, rubbing and fanning it) he ſhall have conveniently taken out of every Quarter half a Peck of Duſt or more, in pain to forfeit 20 *d.* for every Quarter otherwiſe ſold, to be divided betwixt the King and the Proſecutor.

IV. Juſtices of Peace in Seſſions, and Stewards in Leets, have power to hear and determine theſe Offences, as well by Preſentment of twelve Men, as by information of two Witneſſes.

V. Bailiffs and Conſtables of Towns and Places where faulty

Malt is made or mingled, as aforesaid, have power to make search for it, and being found (with the Advice of a Justice of Peace) to make sale thereof at their discretions.

VI. None shall be punished by this Act who only maketh Malt for his own provision, nor unless the Action be prosecuted within one year.

☞ VII. Stat. 39 *Eliz.* 16. Justices of Peace in Sessions have power at their discretions to restrain the superfluous number of Malsters, and also of the Buyers of Barley to be converted into Malt.

VIII. If any Persons shall be convicted by the Testimony of two Witnesses, or his own Confession, to have disobeyed the Restraint aforesaid, they shall suffer three days Imprisonment without Bail, and shall there remain, until they shall (before some Justice of Peace) become bound by Recognizance in 40 *l.* to obey the said Restraint.

IX. Justices of Peace in the County shall not execute this Law within Corporations; but only the Justices and chief Officers of the same Corporations.

X. Such as have Barley of their own growing, Tithe-Corn, or Rent-Corn, may convert it into Malt, notwithstanding this Statute.

XI. Malsters shall not meddle with the Execution of this Act.

XII. Stat. 3 *Jac.* 11. When Malt is at 16 *s.* the Quarter, Beer may be Transported into the Kings Allies in Cask: and the Impost shall be 8 *s.* and 6 *d.* and the Custom 18 *d.* for a Subject; but for a Stranger 10 *s.* and 22 *d.* half-penny.

XIII. This Act shall not infringe the Statute of 35 *Eliz.* 11. 1 *Jac.* 25. or any other Statute made for the bringing in of Clapboard, Cask, or Scaffold-board.

Merchants, Merchandize.

I. Magna Charta 30. 9 *H.* 3. Merchant-Strangers shall have safe Conduct of coming into, going out of, and remaining in *England*, to buy and sell, without being exacted upon by excessive Tolls, except in time of War, if they be of our Enemies Countrey: and albeit they be so, yet so long as our Merchants be used well there, they shall have the like usage here.

II. Stat. 9 *E.* 3. 1. Merchant-Strangers may freely buy and sell within the Realm without Disturbance, except they be Alien Enemies.

III. If any Disturbance or Abuse be offered them or any other Merchant in a Corporation, and the Head-Officer there do not (upon request) provide remedy, the Franchise shall be seized into the Kings hand, and the Disturber (being thereof Attainted) shall answer double Damages to the party grieved, suffer one years Imprisonment, and be Ransomed at the Kings will.

IV. If

IV. If the Diſturbance be out of a Franchiſe, and the Lord there or his Bailiff, Conſtable or Chief Ruler, do not (upon requeſt) provide remedy, he ſhall (being Attainted thereof) render double Damages to the party grieved, and the Diſturber (being alſo thereof Attainted) ſhall alſo ſuffer one whole years Impriſonment, and be Ranſomed at the Kings will.

V. Howbeit, Merchants-Aliens ſhall carry no Wines out of this Realm.

VI. This Law ſhall be ſtrictly obſerved throughout the Realm, notwithſtanding any Charter, Franchiſe or Cuſtom to the contrary, ſaving to the King his due Cuſtoms.

VII. The Chancellor, Treaſurer, Juſtices aſſigned by Commiſſion to hold Pleas, and others, by ſpecial Commiſſion from the King, ſhall have power to hear and determine theſe Miſdemeanours.

VIII. Stat. 14 *E.* 3. *Stat.* 2. 2. All Merchants (except Enemies) may ſafely come into *England* with their Goods and Merchandize, tarry and return, paying the Cuſtoms and Subſidies.

IX. Franchiſes and free Cuſtoms reaſonably granted to Cities, Towns and Burroughs, are ſaved.

X. Stat. 25 *E.* 3. *Stat.* 4. 2. The Statute of 9 *E.* 3. 1. is Confirmed, and all Statutes, Charters, Letters Patents, Proclamations, Commandments, Uſages, Allowances and Judgments to the contrary are Repealed and made void.

XI. All Merchants may freely ſell their Commodities without Challenge or Impeachment of any Officer or other, notwithſtanding any Franchiſe, Grant or Cuſtom to the contrary.

XII. The King may aſſign Juſtices to enquire of ſuch as offend this Law, and to inflict puniſhment upon them, according to the ſaid Statute of 9 *E.* 3.

XIII. Any that will Sue againſt any ſuch Offender, may have a Writ out of the Chancery for that purpoſe.

XIV. Stat. *Stapul.* 27 *E.* 3. *Stat.* 2. 2. A ſafe Conduct is granted to Merchant-Strangers (except Alien Enemies) to come and dwell in this Realm, and to return when they pleaſe; as alſo to ſell their Commodities, without having them taken from them againſt their will upon any colour whatſoever.

XV. If any Officer or other offend againſt this Law, he ſhall be Arreſted by the Head-Officer of the Place, if it be out of the Staple; and if within the Staple, then by the Mayor and Miniſters of the Staple; and ſhall be ſpeedily proceeded againſt according to the Staple Law, and not at the Common Law; and being Attainted thereof, ſhall anſwer double Damages to the party grieved, and as much to the King.

XVI. All Commiſſions made or to be made to take ſuch Prices of Merchants ſhall be void.

XVII. Stat. 27 *E.* 3. *Stat.* 2. 3. All Merchants may buy Merchandiſe of the Staple, ſo as they bring them to the Staple.

XVIII. It ſhall be Felony for an *Engliſh*, *welſh*, or *Iriſh*-man, to Tranſport Wooll, Leather, Woolfels, or Lead.

XIX. No *Engliſh*, *welſh*, or *Iriſh*-man ſhall Tranſport Wooll, Leather, Woolfels or Lead in a Strangers name, or keep a Servant beyond Sea to ſurvey the ſale thereof, or to receive Money there for the ſame.

XX. There ſhall be no Exchange of Wares for Merchandize of the Staple, but payment in Gold, Silver, or *Engliſh*, *welſh* or *Iriſh* Merchandize; neither ſhall any Merchants make any Confederacy in fraud or deceit of this Ordinance: and all this upon the pains aforeſaid.

XXI. Every Man may carry his own Wooll, Leather, Woolfels and Lead to the Staple to ſell them there; howbeit he ſhall then Warrant the packing of his Wools.

XXII. Stat. 27 *E.* 3. *Stat.* 2. 11. All Merchants may freely ſell their Merchandize at the Staple by groſs or by retail without Challenge or Impeachment; but it ſhall be Felony to foreſtall, buy, or give Earneſt for any Merchandize before they come to the Staple or Port, or to enter the Ship for that purpoſe.

XXIII. Stat. 27 *E.* 3. *Stat.* 2. 13. If a Merchant loſe his Goods at Sea by Piracy or Tempeſt, (not being Wreck) and they afterwards come to Land, if he can make proof that they are his Goods, they ſhall be reſtored to him in places guildable by the Kings Officers and ſix men of the Countrey, and in other places by the Lords there or their Officers and ſix men of the Countrey.

XXIV. Stat. 27 *E.* 3. *Stat.* 2. 17. No Merchant ſhall be impleaded for anothers Treſpaſs and Debt, whereof he is not Debtor, Pledge, nor Mainpernor: Howbeit, if any of this Realm indammaged by Foreign Lords or their Subjects have not Right done them, Letters of Mart ſhall be granted to repair them.

XXV. If any difference ariſe betwixt the King and any other Foreign Lord who hath Merchants here his Subjects, thoſe Merchants ſhall have (by Proclamation) fourty days given them to depart; and if (for ſome juſt Cauſe) they cannot go ſo ſoon, they ſhall have longer time given them, until they may conveniently depart; and ſhall in the mean time ſell their Merchandize, if they can.

XXVI. Stat. 27 *E.* 3. *Stat.* 2. 26. Merchant-ſtrangers upon Letters of Credence, or their Oath, ſhall be believed concerning the content of their Merchandize, and ſhall pay 3 *d. per libr.* according to the content ſo teſtified; and their Goods ſhall be thereupon immediately delivered unto them, without unſealing or opening them, according to the Charter granted them by *E.* 1. and confirmed by this King: and all this in pain that the Officer herein offending ſhall ſuffer impriſonment, pay quadruple dammages unto the party grieved, and as much to the King. And here the Remedy ſhall be in *Chancery*.

XXVII.

XXVII. Stat. 38 *E.* 3. 2. Any Merchant may uſe more Merchandize than one, notwithſtanding the Statute of 37 *E.* 5. and may buy, ſell, and tranſport all kind of Merchandize, paying the Cuſtoms and Subſidies due for the ſame, Wooll and Woolfels only excepted.

XXVIII. Stat. 2. *R.* 2. 1. Merchant-ſtrangers (not Enemies) may buy and ſell all things vendible within the Realm in Groſs or by Retail, except Wines and great Wares, as Cloth of Gold and Silver, Silk, Sandal, Napery Cloth, Canvas, and the like; which are to be ſold in Groſs by whole pieces, in pain of forfeiture thereof.

XXIX. Here the Priviledges of Prelates and Lords for Purveyances, and the things provided for by the *Statute of the Staple of Calais*, are ſaved.

XXX. Merchants may buy and ſell in Fairs and Markets in Groſs or by Retail, notwithſtanding this Statute.

XXXI. Diſturbers of Merchants againſt this Act (being thereof attainted) ſhall render double dammage, ſuffer a years impriſonment, and be ranſomed at the Kings will.

XXXII. If Right be not done to the Party grieved in a Franchiſe, it ſhall be ſeized into the Kings hands; if out of a Franchiſe, the Lord or his Officer ſhall render to the Party grieved double dammages.

XXXIII. The Chancellour, Treaſurer, Juſtices aſſigned to hold Pleas, and Juſtices aſſigned by ſpecial Commiſſion, ſhall hear and determine theſe Offences.

XXXIV. Stat. 5 *R.* 2. *Stat.* 2. 1. Merchant-ſtrangers may come into this Realm, continue here, and depart at their pleaſure, without diſturbance or impeachment of any, and ſhall be friendly entertained and intreated of all.

XXXV. Stat. 11 *R.* 2. 7. The Statutes of 9 *E.* 3. 1. and 25 *E.* 3. *Stat.* 4. 2. are confirmed, notwithſtanding any Charter, Proclamation, Cuſtom, *&c.* to the contrary.

XXXVI. Stat. 14 *R.* 2. 9. Merchant-ſtrangers ſhall be courteouſly intreated, to the end they may be thereby the rather encouraged to come into this Kingdom.

XXXVII. Stat. 16 *R.* 2. 1. No Merchant-ſtranger ſhall buy or ſell within the Realm with another Merchant-ſtranger to ſell again; nor ſell any Merchandize by Retail but Victuals: only Wine he ſhall ſell by whole Veſſels.

XXXVIII. The Statutes of 9 *E.* 3. 1. 25 *E.* 3. *Stat.* 4. 2. and 11 *R.* 2. 7. are confirmed.

XXXIX. Stat. 20 *R.* 2. 4. The Statute of 28 *E.* 3. 1. *(which ſee in Staple)* is confirmed, notwithſtanding any Ordinance or Uſage to the contrary.

XL. Stat. 4. *H.* 4. 15. Merchants ſhall not export the Money which they receive for Merchandize imported, but ſhall beſtow it upon Merchandize of this Realm, their reaſonable Coſts excepted.

XLI. Stat.

XLI. Stat. 5 *H.* 4. 7. Merchant-ſtrangers ſhall be uſed in this Realm as Merchant-denizens be in other Countreys; in pain that ſuch Merchant-ſtrangers ſhall forfeit their Goods, and ſuffer impriſonment.

XLII. Stat. 5 *H.* 4. 9. Merchant-ſtrangers ſhall give Security to the Kings Cuſtomers and Controllers to employ their Money upon the Commodities of this Realm, their reaſonable Coſts excepted.

XLIII. The Statute of 4 *H.* 4. 15. is confirmed.

XLIV. Merchant-ſtrangers ſhall ſell their Commodities within a quarter of a year next after their arrival, and imploy the Money received by exchange upon Commodities of this Realm, in pain to forfeit the ſame Money.

XLV. No Merchant-ſtranger ſhall ſell any Merchandize to another Merchant-ſtranger, in pain to forfeit the ſame.

XLVI. The Head-Officer or Officers of the Port where a Merchant-ſtranger ſhall arrive ſhall aſſign him an Hoſt, with whom he ſhall reſide, and the Hoſt ſhall take for his pains as hath been accuſtomed.

XLVII. Stat. 6 *H.* 4. 4. The Clauſe of the Statute of 5 *H.* 4. 9. enjoyning Merchant-ſtrangers to ſell their Commodities within a quarter of a year next after their arrival, is Repealed, ſaving the Liberties of *London*.

XLVIII. Merchant-ſtrangers ſhall not export any Merchandize Imported by Merchant-ſtrangers.

XLIX. Stat. 7 *H.* 4. 9. All Merchandize may be ſold in Groſs in *London*, as well to all the Kings people as to the Citizens of *London*, notwithſtanding any Franchiſe or Liberty to the contrary.

L. Stat. 4 *H.* 5. 5. The Statute of 5 *H.* 4. 7. and 5 *H.* 4. 9. touching the uſing of Merchant-ſtrangers are confirmed.

LI. Stat. 8 *H.* 6. 24. No Merchant Alien ſhall conſtrain any of the Kings Subjects to pay him his Debt in Gold, nor refuſe to receive payment thereof in Silver, in pain to forfeit the double Value thereof.

LII. No *Engliſhman* ſhall ſell his Goods to a Merchant Alien but for preſent payment in money, or for other Merchandize to be preſently delivered, in pain to forfeit the ſame.

LIII. Stat. 3 *E.* 4. 4. Certain Wares and Merchandize which it is not lawful to bring into this Realm ready wrought, being things made by Handy-craft-men. *See the Statute at large.*

LIV. Such Wares taken upon the Sea, or coming aſhoar by wreck, and ſuch as are wrought in *Ireland* or *Wales*, are excepted.

LV. Chief Officers of Cities, Towns, *&c.* ſhall have Authority to make ſearch for Wares of that kind which are defective. But here St. *Martins le Grand* is excepted. *Howbeit this Statute was to ſtand in force but during the Kings will, and therefore* Quære *whether it be now in force.*

LVI. Stat.

LVI. Stat. 17 *E.* 4. 1. *pars inde.* Every Merchant Alien or other Stranger ſhall imploy the money by them received here, upon the Merchandize of this Realm, or elſe (without fraud) put the ſame money in due payment within this Realm, to be proved by the Merchant unto whom it is ſo imployed, or otherwiſe before the Cuſtomer, Controller, or Head Officer or Officers of the place where it is ſo imployed; in pain to forfeit all his Goods found within this Realm, and to ſuffer a years impriſonment: only his reaſonable Coſts are to be deducted.

LVII. The forfeiture to be divided betwixt the King and the Proſecutor.

LVIII. Stat. 1 *R.* 3. 9. *Italian* Merchants ſhall ſell their Merchandize at the Port where they Land in Groſs, and not by Retail, in pain to forfeit the value thereof.

LIX. They ſhall alſo ſell their Commodities brought thither within eight months after their arrival, and ſhall within that time imploy the money received for the ſame upon *Engliſh* Commodities, (their reaſonable Expences deducted) and not make over that money by Exchange: and if within that time they cannot make off their Wares, they ſhall within two months after the eight months (or as ſoon as they can) convey them out of the Realm: in pain to forfeit the money ſo made over by Exchange, and the Merchandize ſold after the eight months, and not conveyed away as aforeſaid, or the value thereof.

LX. They may tranſport their Merchandize from one Port to another, ſo as they ſell them within the ſaid Eight months.

LXI. No Merchant-ſtranger ſhall be Hoſt to another Merchant-ſtranger, unleſs they be of the ſame Nation, in pain of 40 *l.*

LXII. No ſuch *Italian* Merchant ſhall buy and ſell any Wooll or Woollen Cloth within this Realm, neither ſhall they make any Woollen Cloth, or deliver Wooll to that end, in pain to forfeit the value thereof.

LXIII. Stat. 1 *R.* 3. 12. No Merchant-ſtranger ſhall Import into this Realm to be ſold any Girdles, Harneſs wrought for Girdles, Points, Leather-laces, Purſes, Pouches, Pins, Gloves, Knives, Hangers, Tailors Sheers, Sciſſors, Andirons, Cobbards, Tongs, Fire-forks, Gridirons, Stock-locks, Keys, Hinges and Garnets, Spurs, painted Glaſſes, painted Paper, painted Forcers, painted Images, painted Cloths, beaten Gold or Silver wrought in Papers for Painters, Saddles, Saddle-trees, Horſe-harneſs, Boots, Bits, Stirrups, Bucklers, Chains, latten Nails with iron ſhanks, Turnets, hanging Candleſticks, Holy-water-Pots, Chafing-diſhes, hanging Lavers, Curtain-rings, Cards for Wooll, Roan-cards, (except Claſps for Garments) Sheers, Buckles for Shoes, Spits, Bells, Hawks bells, tin and leaden Spoons, Wire of Latten and Iron, Iron Candleſticks, Grates, Horns for Lanthorns, or any of the ſaid Wares ready made and wrought, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the Proſecutor.

LXIV. Stat.

LXIV. Stat. 3 *H.* 7. 8. The Statute of 17 *E.* 4. 1. is confirmed and made perpetual.

LXV. Merchants of *Ireland*, *Jerſey* and *Gernſey* are made liable to the ſame Law upon the like pains.

LXVI. Cuſtomers and Controllers ſhall take Security of Merchant-ſtrangers to obſerve the ſaid Law.

LXVII. Stat. 12 *H.* 7. 6. Every *Engliſhman*, being the Kings true Liege man, may freely trade at the Marts in *Flanders*, *Holland*, *Zealand*, *Brabant*, and other of the Archduke of *Burgoins* Countreys, without any Exaction, Fines, or other contribution whatſoever, to be levied of him by the Fellowſhip of Merchants in *London*, or by any other for their uſe, or by any other ſuch Fraternity, ten Marks only excepted; and none ſhall in ſuch caſe take or levy upon any perſon any ſuch Exaction, more than the ſaid ten Marks, in pain to forfeit 20 *l.* to the King, and ten times ſo much as they ſhall take more than the ten Marks aforeſaid, to be recovered by Action of Debt, *&c.*

LXVIII. Stat. 1 *El.* 11. None ſhall lade or unlade into or out of any Ship or other Veſſel any Goods, Wares or Merchandize whatſoever, Fiſh taken by *Engliſhmen* only excepted, and unleſs it be upon a Leak or Wreck, to be imported or exported, but only in the day time; *viz.* from the firſt of *March* until the laſt of *September* betwixt Sun-riſing and Sun-ſet, and from the laſt of *September* to the firſt of *March*, between the hours of ſeven and four; and that in ſuch places as the Queen ſhall (by Commiſſion) before the firſt of *September* next aſſign for that purpoſe: in pain to forfeit the Goods, Wares or Merchandize otherwiſe laden or unladen, or the value thereof.

LXIX. The places ſo to be aſſigned ſhall be at *London*, *Southampton*, *Briſtol*, *Weſtcheſter*, *Newcaſtle* and in all other places (*Hull* only excepted) where there is a Cuſtomer, Controller, and Searcher.

LXX. The Owner, Maſter, or other having the Charge of any Ship or other Veſſel, which doth offend againſt this Law, ſhall forfeit 5 *l.*

LXXI. The Maſter or other having the Charge of the Veſſel, ſhall acquaint the Cuſtomer or other Officer with the times of his Lading and departure, as alſo what perſons are to have Lading with him, and ſhall anſwer ſuch Queſtions concerning his Lading, as ſhall be demanded of him by ſuch Officer upon Oath, or otherwiſe; and all this in pain of 100 *l.* The like ſhall be obſerved when he imports any Merchandize, *vice verſa*, and upon the like pain.

LXXII. None ſhall enter any Goods in the Cuſtomers Books but in the Right Owners Name, in pain to forfeit the value thereof.

LXXIII. If any Officer of the Cuſtom-houſe conceal any Offence committed againſt this Act, and diſcloſe it not within a month unto the chief Officer there, or unto the Lord Treaſurer, Chancellor, Under Treaſurer, or one of the Barons of the Exchequer, or unto the Attorney General, he ſhall forfeit 100 *l.* LXXIV.

LXXIV. Cuſtomers, Controllers and Searchers have power to make Deputies in Ports, Creeks and Roads; and both they and their Deputies ſhall duly and faithfully execute their Offices, in pain of 100 *l.* and to loſe their places.

LXXV. Such Cuſtom ſhall be paid for ſweet Wines as hath formerly been paid for Malmſeys..

LXXVI. This Act ſhall not infringe the Liberties granted to the Iſle of *Angleſey*, and the Counties of *Flint* and *Carnarvan*, ſo as they pay the due Cuſtoms and Subſidies, and lade and diſcharge within the times and hours above mentioned.

LXXVII. Stat. 43 *El.* 12. The Lord Chancellor or Keeper ſhall award a ſtanding Commiſſion (to be renewed yearly, or as often as to him ſhall ſeem meet) for the hearing and determining of all ſuch Cauſes ariſing, and Policies of Aſſurances as ſhall be entred in the Office of Aſſurance in *London*.

LXXVIII. This Commiſſion ſhall be directed to the Judge of the Admiralty, the Recorder of *London*, two Doctors of the Civil Law, two Common Lawyers, and eight grave and diſcreet Merchants, or to any five of them; which Commiſſioners, or the greater part of them, ſhall have power to hear and examine, order and decree all ſuch Cauſes in a brief and ſummary courſe, as to their diſcretion ſhall ſeem meet, without formality of Pleadings or Proceedings.

LXXIX. The Commiſſioners have alſo power to ſummon the Parties, examine Witneſſes upon Oath, and commit to Priſon ſuch as contemn or diſobey their Orders or Decrees. They ſhall meet and ſit once a Week at the leaſt in the Office of Aſſurance, or ſome other convenient publick place, for the execution of the ſaid Commiſſion: and no Fees ſhall be there exacted by any perſon whatſoever.

LXXX. If any be grieved by their Sentence or Decree, he may exhibit his Bill in Chancery for the re-examination thereof, ſo as he firſt ſatisfie the Sentence ſo awarded, or depoſit with the Commiſſioners the ſum awarded; and then (albeit he be impriſoned) he may be enlarged. And here the Lord Chancellor (or Keeper) hath power to reverſe or affirm every ſuch Sentence or Decree; and, in caſe it be affirmed, to award the Party aſſured double Coſts.

LXXXI. No Commiſſioner ſhall meddle in the execution of this Commiſſion in any Cauſe wherein himſelf is party, *Aſſurer* or *Aſſured*, nor until he hath taken his Corporal Oath before the Mayor and Court of Aldermen to proceed uprightly and indifferently between Party and Party; only the Judge of the Admiralty and Recorder are excuſed from ſuch Oath.

LXXXII. Stat. 3 *Jac.* 1.6. All the Kings Subjects ſhall have free Trade into and from *Spain*, *Portugal* and *France*, notwithſtanding the late grant of an Incorporation to prohibit the ſame, or any other Act or thing whatſoever to the contrary.

LXXXIII.

LXXXIII. Provided that this Act ſhall not give liberty for any perſon to go beyond Sea, who by Law is reſtrained from going, without Licence.

LXXXIV. Stat. 3 *Jac.* 1. 9. No Merchant or other ſhall dreſs or cauſe to be dreſſed in his Houſe, or by any Workman (being no Skinner) appointed by him for that purpoſe, any black Cony-skins of this Realm, nor Tranſport any ſuch, or pack them to be Tranſported, before they be tawed and duly wrought by ſuch as are Artizan-Skinners, or Tawers under them, in pain to forfeit them, or the value thereof.

LXXXV. No Merchant ſhall buy or contract for any Cony-skins or Lamb-skins, under the number of 1000. black Cony-skins, 3000. gray Cony-skins, and 2000. Lambs-skins, at one and the ſame time, to be ſo bought and delivered intirely together, and not by parcels; except they be bought of the Artizan-Skinners: neither ſhall the Merchant ſell them again in leſs parcels than as aforeſaid, (unleſs to the ſaid Artizan-Skinners) in pain to forfeit the ſame, or the value thereof.

LXXXVI. None ſhall retain any Servant, Journeyman or Apprentice to work in the Trade of a Skinner, unleſs he himſelf hath ſerved ſeven years as an Apprentice in the ſame Trade, in pain to forfeit the double value of his Ware ſo wrought.

LXXXVII. The forfeitures aforeſaid are to be divided betwixt the King and Seiſor or Proſecutor.

LXXXVIII. Stat. 4 *Jac.* 1. 9. The general Statute of 3 *Jac.* 6. neither doth nor ſhall diſſolve or impeach the Charter of Incorporation granted by Queen *El.* to certain Merchants of *Exeter* and their Succeſſors.

LXXXIX. Stat. 12 *Car.* 2. *cap.* 4. It ſhall be lawful to Tranſport Iron, Armour, Bandeliers, Bridle-bits, Halbert-heads, and Sharps, Holſters, Muskets, Carbines, Fowling-pieces, Piſtols, Pike-heads, Sword or Rapier blades, Saddles, Snaffles, Stirrups, Calveſkins dreſſed or undreſſed, Geldings, Oxen, Sheepſkins dreſſed without the Wooll, and all manufactures made of Leather; Gunpowder, when it doth not exceed the price of five pound the Barrel; Wheat, Rye, Peaſe, Beans, Barley, Malt and Oats, Beef. Pork, Bacon, Butter, Cheeſe, and Candles when they do not exceed at the Port from whence they are Laden, theſe prices, *viz.* Wheat the Quarter, 40 *s.* Rye, Beans and Peaſe, 24 *s.* Barley and malt, the Quarter 20 *s.* Oats, 16 *s*, Beef, 5 *l.* the Barrel, Pork, 6 *l.* 10 *s.* Bacon, the pound 6 *d.* Butter, the Barrel 4 *l.* 10 *s.* Cheeſe, the hundred one pound 10 *s.* Candles, the dozen pound 5 *s.* paying the Rates appointed by this Act (viz. *The Act of Tunnage and Poundage*, quod vide tit. Cuſtoms) and no more.

XC. The King by Proclamation may prohibit the Tranſportation of Gunpowder, or any Ammunition. *Confirmed* 13 *Car.* 2. *cap.* 7.

XCI. Stat. 13 & 14 *Car.* 2. *cap.* 13. None ſhall ſell or offer

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to ſale, export or import Foreign Bonelace, Gutwork, Imbroidery, Fringe, Bandſtrings, Buttons or Needlework of Thread or Silk, on pain to forfeit for ſelling or offering to ſale as aforeſaid, 50 *l.* and the Goods themſelves, and for Importing 100 *l.* and the Goods imported, the one moiety to the King, the other to him that will ſue in Court of Record.

XCII. Juſtices of Peace upon information given, may iſſue Warrants to Conſtables to ſearch for ſuch Manufactures in Shops being open, Warehouſes and Dwellinghouſes, and to ſeize them.

XCIII. Informations and Suits upon this Law muſt be commenced within twelve months after diſcovery.

XCIV. Stat. 13 & 14 *Car.* 2. *cap.* 19. No Foreign Woollcards, Card wiere, or Iron wire for Wooll cards ſhall be Imported, nor Card wier taken out of old Cards put into new Leather, and new Card boards, nor Wooll cards made thereof be put to ſale, on pain to forfeit all the ſaid Wares, or the value if not ſeized, one half to the King, the other to him that will ſue in any Court of Record at *Weſtminſter*, or within the County, City or Town Corporate where the Offence ſhall be committed.

XCV. Owners of Wooll cards may amend them for their own uſe, or tranſport, or ſell (for tranſportation only) old overworn Wooll-cards.

XCVI. Stat. 13 & 14 *Car.* 2. *cap.* 23. The Commiſſioners for determining cauſes upon Policies of Aſſurance entred within the Office of Aſſurance of *London*, or three of them, whereof a Doctor of the Civil Law, or Barriſter of Law of five years ſtanding, to be one, may proceed as five might have done; and in caſe of wilful delay of Witneſſes upon the firſt ſummons, and tender of charges, and of parties upon the ſecond ſummons, may puniſh the Offenders by Impriſoment or Coſts. Every ſuch Commiſſioner may proceed having taken an Oath before the Lord Mayor of *London* only, to proceed uprightly.

XCVII. Commiſſions ſhall iſſue out of the Admiralty returnable before the ſaid Commiſſioners to examine Witneſſes beyond Sea, or in any remote parts of the Kings Dominions; the Commiſſioners or three of them may paſs Sentence and Execution againſt the Body and Goods, and againſt the Executors, *&c.* or the party evicted, and aſſeſs Coſts of Suit.

XCVIII. Any one Commiſſioner may Adminiſter an Oath to a Witneſs, notice being given to the adverſe Pary, and ſet up in the Office, that ſuch Witneſs may be croſs examined.

XCIX. The Commiſſioners ſhall not proceed againſt Body and Goods for the ſame Debt.

Marſhalſey.

I. Artic ſuper Chart. 3. 28 *E.* 1. The Stewards and Marſhals of the Kings Houſe ſhall not hold Plea of Freehold, Debt, Covenant, or Contract, but only of Treſpaſs done in the Houſe or Verge, or of Contracts and Covenants when both parties are of the Houſe: and the Plea of Treſpaſs ſhall be determined before the Kings departure from the Verge where the Treſpaſs was committed; and therefore the Plea thereof ſhall be ſpeedy, *de die in diem*: and if the Plea cannot be determined in time, the Plaintiff ſhall (in ſuch caſe) have recourſe to the Common Law.

II. The Steward ſhall from henceforth take no conuſance of debt or other things, but of the people of the ſame Houſe, nor ſhall hold Plea by obligation made at the diſtreſs of the ſaid Stewards or Marſhals: And if any thing be done contrary to this Act, it ſhall be holden void.

III. In caſe of death within the Verge where the Coroner is to make view, the Coroner of the County together with the Kings Coroner ſhall do his Office, and inroll it: and what cannot be determined by the Steward before the Kings departure, ſhall be remitted to the Common Law; ſo that Exigent, Outlawries and Preſentments ſhall be made thereupon in Eyre by the Coroner of the County, as in caſe of other Felonies done out of the Verge. Howbeit they ſhall not omit by reaſon hereof to make Attachments freſhly upon the Felonies done.

IV. Stat. 5 *E.* 3. 2. *pars inde*: and 10 *E.* 3. *Stat.* 2. 2. Inqueſts before the Steward and Marſhal of the Kings Houſe ſhall be taken by men of the Countrey thereabouts, and not by men of the Kings Houſe; except it be in Contracts, Covenants or Treſpaſſes, when both parties are of the ſame Houſe, and in the Houſe.

V. Stat. 9 *R.* 2. 5. Prieſts and others of the Holy Church, taken in the Marſhalſey, ſhall pay ſuch Fees as Lay people pay, and no more.

VI. Stat. 13 *R.* 2. *Stat.* 1. 3. The Juriſdiction of the Steward and Marſhal of the Kings Houſe ſhall extend no farther than twelve miles from the Kings Lodging.

VII. Stat. 2 *H.* 4. 23. The Fees of the Marſhal of the Kings Houſe ſhall be as in times paſt, and no more: *viz.* for him that cometh in by *Capias*, 4 *d.* and if he be bailed, 2 *d.* more; of the Defendant in Treſpaſs that findeth Bail to anſwer the Suit, 2 *d.* for every commitment by Judgment, 4 *d.* for every one delivered of Felony, and of a Felon bailed by the Court, 4 *d.* And if the Marſhal or his Officers take more, they ſhall loſe their Offices, and pay treble dammages to the party grieved, and the party grieved ſhall have his Suit before the Steward of the ſame Court.

VIII. Here a ſerver of Bills ſhall take no more than 1 *d.* for every

every mile diſtant from the Court to the place where he doth his Office; but when he ſerves a *Venire facias* or a *Diſtringas*, he ſhall have the double. If ſuch an Officer takes more, he ſhall be impriſoned, make a Fine to the King at the diſcretion of the Steward, and be from thenceforth forejudged the Court.

IX. Stat. 15 *H.* 6. 1. In a Suit commenced before the Steward and Marſhal of the Kings Houſe, the Defendant ſhall not be eſtopped to plead that the Plaintiff or he are not of the Kings Houſe; but his averment thereof ſhall be received, notwithſtanding any Record of the ſame Court to be produced to the contrary.

Marſhes, Fens, &c.

I. Stat. 4 *Jac.* 1. 8. An Act for winning from Inundation the drowned Grounds and Marſhes of *Leſneſs* and *Fants* in *Kent* by the 10th of *October* 1609. *See the Statute.*

II. Stat. 4 *Jac.* 1. 13. Another for draining the Fens and low Grounds in the Iſle of *Ely*, containing about 6000 Acres, compaſſed about with Banks called the Ring of *Walderſey* and *Coldham*. *See alſo the Statute.*

III. Stat. 7 *Jac.* 1. 20. A mean to recover a great quantity of Ground lately ſurrounded in *Norfolk* and *Suffolk* by the Sea, and to prevent the like for the future. *See the Statute.*

IV. Stat. 15 *Car.* 2. *Cap.* 17. *William* Earl of *Bedford*, Son and Heir of *Francis* Earl of *Bedford*, and the Adventurers and Participants of them or either of them, ſhall be a Body Politick, and ſhall conſiſt of one Governour, ſix Bailiffs, twenty Conſervators and Commonalty, the ſaid *William* Earl of *Bedford* to be the firſt Governour, and ſhall be capable to purchaſe Lands, not exceeding two hundred pounds *per annum*, and Goods and Chattels, and may lay Taxes from time to time upon the 95000. Acres only, which *Francis* late Earl of *Bedford* was to have for his Recompence of effecting that difficult Work of Draining the great Level of the *Fens*, for the preſervation of the ſaid great Level, and may levy the ſame with penalties for non-payment, not exceeding a third part of the Tax.

V. The ſaid Governor, Bailiffs and Conſervators aforeſaid, or five of them, whereof the ſaid Governor or Bailiffs, or any of them to be two, are hereby Conſtituted Commiſſioners for Sewers for the ſaid great Level: and may act or proceed by one or more Juries of men inhabiting within any part within the Boundaries of the ſaid great Level, as if the ſaid great Level lay in one County only; firſt taking the Oath which Commiſſioners of Sewers are by Law to take, which Oath the ſaid Governor or Bailiffs, or any of them may Adminiſter.

VI. Every Writ, Bill, Declaration, Information, *&c.* concerning any part of the Grounds within the ſaid Level, or any Treſpaſs, *&c.* done within the ſame, and proceedings thereupon, ſhall

be good, though the place be not rightly named, so as there be such other certainty, whereby the same may be known.

VII. No other Commissioners of Sewers shall intermeddle within the said great Level, otherwise than in this Act shall be provided.

VIII. All Conveyances by Indenture of the said 95000. Acres, or any part thereof entred with the Register to be appointed by the said Corporation, shall be of equal force, as if they were by Indenture for valuable consideration of Money inrolled within six months in one of the Courts of Record at *Westminster*, and no Lease or Conveyance of our Charge upon the same, except Leases for seven years or under in possession, shall be of force but from the time it shall be so entred; the entry whereof being endorsed by the Register upon such Conveyance, *&c.* shall be evidence at Law.

IX. For the levying such Taxes and Penalties as shall be in arrear upon the respective parts and proportions of the said 95000. Acres, the said Governor, Bailiffs, *&c.* shall on *Wednesday* and *Thursday* in *Whitsunweek*, or either of them yearly at the Shire-house in *Ely*, have power to sell so much as the said Governor, Bailiffs, *&c.* shall judge sufficient to raise Taxes and Penalties, by writing under the Seal of the Corporation.

X. Provided that by colour of such Sale, Tenants at Will or by Lease indented upon improved Rent shall not be removed, till they have taken off their Crop, paying a proportionable Rent; Tenants by Lease may continue out their Terms, paying a proportionable Rent to the Purchaser. No such Sale shall be made for any Tax or Penalty not in arrear four months next before the Sale.

XI. Publick notice shall be given of Lands for which any Tax or Penalty shall be in arrear by affixing a Schedule at the Shire-house or Marketplace in *Ely* under the Seal of the Corporation, containing such Lands with the Owners Names, entred upon the Tax Roll.

XII. The said Corporation may erect new Works within or without the said great Level, to convey the Waters thereof by convenient outfalls to the Sea. They that cut or throw down any of the said Works, shall answer treble dammages to the Corporation and Costs of Suit in an Action of Trespass: and such acting, *&c.* if maliciously done, shall be punished as for cutting the Powdyke in *Marshland*.

XIII. The Governor before he take upon him that Office, shall take an Oath before any of the Bailiffs, that he will well and truly execute it. The Bailiffs, Conservators and other Officers shall take the like Oath for the true executing their respective Offices, before the Governor, Bailiffs and Conservators, or any two of them.

XIV. The Governor, Bailiffs, Conservators and Commonalty on

on *Wedneſday* in *Whitſunweek* yearly, ſhall by the greater number then preſent, whereof the ſaid Governor or one of the Bailiffs to be one, elect a new Governor, Bailiffs and Conſervators. None ſhall be Governor or a Bailiff that hath not four hundred Acres, nor a Conſervator that hath not two hundred Acres, nor any of the Commonalty to have a voice in Elections, that hath not a hundred Acres of the ſaid 95000 Acres. The Governor, Bailiffs and Conſervators or any of them may be removed by the greater number preſent at their publick Meetings, (whereof the Governor or one of the Bailiffs to be one) and new choſen in their Place. In Suits commenced againſt the Corporation or others, for any thing done in purſuance of this Act, they may plead the General Iſſue, and give the ſpecial matter in Evidence.

XV. The Governor, Bailiffs and Commonalty of the ſaid Company of Conſervators, *&c.* ſhall ſtand ſeized of all the Shares and Proportions of the ſaid 95000 Acres, which in purſuance of an Indenture of fourteen parts, bearing date the 27*th* day of *February*, in the ſeventh year of King *Charles* the firſt, and by virtue of a Law of Sewers made at *Kings-Lyn* in the ſixth year of the Reign of the ſaid King, do belong to Samuel *Sandys* the elder, or his Truſtees, Sir *William Terringham*, Sir *Richard Onſlow*, and other the Aſſigns and Truſtees of *Henry* late Earl of *Arundel* and *Surry*, *Arthur* Earl of *Angleſey*, *Thomas* Lord *Culpeper*, *Robert Philips*, *Robert Scawen*, and other the Participants of *Francis* Earl of *Bedford*, and Parties to the ſaid Indenture, their Heirs, Executors, *&c.* which are now enjoyed by divers perſons claiming under a pretended Act of Parliament of the 29*th* of *May* 1649. in which certain perſons were mentioned to have authority to ſell the Shares of ſuch Adventurers and Participants of the ſaid Earl *Francis*, *&c.* as ſhould refuſe to pay ſuch Taxes as by colour of the ſaid pretended Act ſhould be impoſed on them; in Truſt nevertheleſs for the ſaid *Samuel Sandys* the Elder, or his Truſtees in Truſt for him, Sir *William Terringham*, *&c.* as heretofore in or about *October* in the thirteenth year of King *Charles* the Firſt, were allotted for the Shares of ſuch of the Adventurers, and Participants of the ſaid Earl, and the Parties to the ſaid Indenture, *&c.* under whom the ſaid *Samuel Sandys* the elder, *&c.* and other the Participants of the ſaid Earl, *&c.* now out of poſſeſſion, derive their Shares: and the ſaid Corporation are hereby required to execute reſpective Eſtates of the ſaid Shares, ſubject nevertheleſs to all Taxes, *&c.* to be impoſed by virtue of this Act.

XVI. The Chief Juſtice of the Kings Bench, the Chief Juſtice of the Common Pleas, the Chief Baron of the Exchequer, and the Juſtices of the Court of Common Pleas, or any two of them, are hereby conſtituted Commiſſioners to decree and determine upon Bills and Anſwers, or otherwiſe as they ſhall think fit, between the perſons now in poſſeſſion of the ſaid Shares, and the ſaid *Samuel Sandys* the Elder and his Truſtees, Sir *William Terringham*, *&c.* now out of poſſeſſion, and may decree ſuch an Allowance as they ſee

cause; which Commissioners shall have such authority as the High Court of Chancery: and may order and decree upon what persons or Lands the Sums in arrear for Taxes imposed since the 29th of *September* 1658. upon several parts of the said 95000 Acres, subjected by this Act to the said Judicature, and for Penalties incurred for non-payment thereof, shall be charged, which Taxes and Penalties shall be Levied according to the Order and Decree of the said Commissioners.

XVII. Ninety five Acres in *Ravely* and *upwood*, seventy six in *Sothery*, fourty four Acres and one Rod in *wicken*, eighty eight in *Cowsen*, two hundred eighty two in *Beezling*, and thirty seven in *up-Pell*, set out to be enjoyed as part of the said 95000 Acres, in lieu of like Proportions restored to the Countrey, shall be enjoyed by the said Corporation, subject nevertheless to the Trust in and by this Act declared.

XVIII. If the said Earl of *Bedford* and his Participants, or the said Corporation, have done, or shall do any Act or Acts to the prejudice of Navigation, if it be consisting with the Draining, whereby such Drove-ways or Bridges as have been made by the Adventurers, and by them maintained, unless there be some Agreement to the contrary, shall be obstructed, then the Commissioners constituted by this Act for the several purposes therein mentioned, or any seven of them, whereof the Vice-Chancellor for the University of *Cambridge*, the Mayor of the Town of *Cambridge*, and the Mayor of the Town of *Kings-Lyn*, to be three, if upon notice left at their respective Habitations they shall think fit to be present, may decree the same to be amended at the Charges of the said Corporation: and in default thereof, by Warrant under their Hands and Seals may Tax the said Ninety five thousand Acres for preserving Navigation; the sum taxed to be paid within twenty days after notice thereof given to the Governor or Treasurer of the said Corporation, to such persons as the Commissioners shall appoint to receive them: which persons the Commissioners may impower in default of payment by the said Corporation, to Levy the same by Distress upon the said Ninety five thousand Acres, and by sale of Goods.

XIX. And in case the quantity of eight thousand Acres lying together, or near together, shall continue drowned twelve months together, the said Commissioners, or any seven of them, may Assess sums of Money upon the said Ninety five thousand Acres for Draining the same, together with a Penalty for non-payment, not exceeding a third part of the Tax; and the Share of such Participant as shall be in arrear for the said Tax or Penalty by the space of two months, shall be sequestred for the payment thereof, by Writing under the Hands and Seals of the said Commissioners, or seven of them.

XX. If the said Corporation refuse to pay such Taxes and Penalties as shall be imposed by the said Commissioners, whereupon the

the Goods of any perſon ſhall be Diſtrained, or their Lands ſequeſtred, or that ſuch perſons ſhall pay the ſame; then the ſaid Governour, Bailiffs and Corporation, upon notice thereof ſhall Aſſeſs the whole Ninety five thouſand Acres for payment thereof, and of all Damages which ſuch perſons ſhall have ſuſtained: in default whereof ſix months after demand, ſuch perſons may bring their Actions of Debt in any of the Kings Courts at *Weſtminſter*, and ſhall recover the ſame, and Coſts of Suit.

XXI. The ſaid Commiſſioners, or ſeven of them, for the better Execution of the Powers hereby given, may examine Witneſſes upon Oath.

XXII. Before they take upon them the Execution of any Authorities hereby given them, other then the Adminiſtring the Oath following to one another, they ſhall take this Oath, *viz.*

I A. B. *Shall and will without favour or affection, hatred or malice, truly and impartially, according to the beſt of my ſkill and knowledge, execute and perform all and every the Powers and Authorities Eſtabliſhed by this Act of Parliament.* Which Oath any of the ſaid Commiſſioners may Adminiſter.

XXIII. All Judgments and Decrees, and other Acts done by the ſaid Commiſſioners, or ſeven of them, purſuant to the Authorities by this Act given, ſhall be final.

XXIV. The ſaid Commiſſioners ſhall ſit from the 29th day of *September* to the 26th of *March* in every year, at *Huntington*: and from the 25th of *March* till the 30th of *September*, at *Ely*: unleſs they, or ſeven of them, ſhall appoint ſome other place being a Market-Town. They ſhall declare the Place and Times of their Meeting by Warrant under their Hands and Seals, which ſhall be publiſhed in the open Market of the Place were they laſt ſat, between the hours of Twelve and two, one month before their Meeting, and by Warrant may ſummon Parties and Witneſſes.

XXV. None of the ſaid Commiſſioners ſhall vote in any matter which concerns the Bounds of the County for which he is a Commiſſioner.

XXVI. No perſon having any Intereſt in Lands within the Level, ſhall be a Commiſſioner.

XXVII. The ſaid Commiſſioners may make ſatisfaction out of the ſaid Ninety five thouſand Acres, to ſuch whoſe Lands ſhall be made worſe by any new Works to be made by the ſaid Corporation, than they were in the ſixth year of King *Charles* the Firſt.

XXVIII. Lords of Mannors, and all that have Rights of Common in Waſtes within the ſaid Level, and other Places to which the Works aforeſaid extend, may incloſe the ſame; all differences that ſhall ariſe concerning the Boundaries thereof, ſhall be deter-

mined by the ſaid Commiſſioners upon their view or examination of Witneſſes upon Oath; which Determination being certified into the Petty-Bag, there to be Filed and kept upon Record, ſhall be final.

XXIX. Archbiſhops, Biſhops, Deans and Chapters, and Colledges and Halls in either Univerſity, and all Bodies Politick, having ſuch Right of Common, may Demiſe by Indenture their reſpective Proportions, which have not by expreſs Words, and under any particular Rent been formerly Demiſed, for any Term not exceeding twenty one years, ſo as upon every ſuch Demiſe, the fourth part of the true yearly value to be aſcertained by the Commiſſioners, or ſeven of them, be reſerved.

XXX. Nothing in this Act ſhall extend to alter the Poſſeſſion of *Thomas Chicheley* Eſq; from Six hundred ſeventy one Acres, parcel of the Lot claimed to belong to the Truſtees of *Henry* late Earl of *Arundel* and *Surry*, and Two hundred thirty one Acres, parcel of the Lot of Sir *William Terringham*.

XXXI. Rights to Waifs, Strays, Felons Goods, Priviledges of Arreſts, Eſcheats, and other Royalties not prejudicial to the Draining, are ſaved.

XXXII. This Act ſhall not infringe or weaken an Act made in the fourth year of King *James*, *Cap.* 13. for Draining certain Fens and low Grounds in the Iſle of *Ely*.

XXXIII. The ſaid Commiſſioners, upon complaint by the Owners of Lands near adjoyning to the ſaid Great Level, that their Lands have been cut through without making ſatisfaction, may decree them ſuch Recompence as they judge reaſonable, the ſaid Recompence to be made within ſix months after ſuch Decree made: in default whereof, the ſaid Commiſſioners or any ſeven of them may Tax the ſaid Ninety five thouſand Acres, and Diſtrain thereupon, and ſell the Diſtreſs.

XXXIV. If the Judicature hereby Eſtabliſhed ſhall not within twelve months from the firſt of *Auguſt* next determine the ſaid Matters to them referred, the Barons of the Exchequer ſhall determine the ſame.

XXXV. Whereas twelve thouſand Acres, parcel of the ſaid Ninety five thouſand, were allotted to His late Majeſty, who granted two thouſand Acres thereof to *Jerom* Earl of *Portland*; The Kings Leſſees of the remaining Ten thouſand Acres may be choſen into the Places of Governor, Bailiffs and Conſervators aforeſaid, *&c.* ſo as they have double the quantity of Acres, parcel of the ſaid Ten thouſand Acres, as by this Act is required, to qualifie perſons to be elected into the ſaid Offices.

XXXVI. No other Charge ſhall be laid upon the ſaid Corporation in reſpect of Breaches by inevitable Accidents, than to repair the ſame. Nor ſhall the ſaid Corporation be enforced to give any Recompence

Recompence for any Loſs ſuſtained by reaſon of their making neceſſary and ſufficient Banks for defending the ſaid Level, and leading the Waters thereof in their Channels as now they run unto their out fall into the Sea.

XXXVII. No aſcertaining or dividing the ſaid drained or new improved Lands by the ſaid Commiſſioners, ſhall conclude the King or any other as to the Bounds of Pariſhes, to any other purpoſe than ſubjecting the ſame to Taxes and Contributions, and Epiſcopal Juriſdiction.

XXXVIII. All perſons that ſhall be convicted by two Witneſſes upon Oath before two Juſtices of Peace of breaking down, or any ways hindring or laying open the ſaid Incloſures, ſhall forfeit 20 *l.* to be Levied by Diſtreſs and Sale of Goods by Warrant under Hand and Seal of ſuch Juſtices: one moiety whereof ſhall be to the Informer, the other to the perſon againſt whom the Offence ſhall be committed; and for want of a ſufficient Diſtreſs, the Offender ſhall be committed to the Houſe of Correction or common Gaol three months.

XXXIX. After the 1ſt of *Auguſt* 1668, no Tax exceeding two Shilling the Acre in any one year ſhall be laid upon the ſaid ten thouſand Acres by this Act veſted in the King, or upon the two thouſand Acres veſted in the Aſſigns of the Earl of *Portland*: and in caſe the Taxes to be Aſſeſſed upon the other eighty three thouſand Acres, ſhall not amount to ſo much in proportion, a proportionable abatement ſhall be made out of the ſaid 2 *s. per* Acre, which ſhall be charged yearly on the ſaid ten thouſand, and two thouſand Acres.

XL. The laying of Taxes on the ſaid ten thouſand Acres, or on the ſaid two thouſand Acres after the 1ſt of *Auguſt* 1668, by way of an Acre-Tax, ſhall not be conſtrued to extend to compel the ſaid Corporation to Levy any Tax on the other eighty three thouſand Acres by way of an Acre-Tax.

XLI. Stat. 16 & 17 *Car.* 2. *cap.* 11. The ſeveral Decrees made at a Seſſion of Sewers holden at *Bourn* in *Lincolnſhire* the 20th of *Auguſt Anno* 41 *Eliz.* and at a Seſſion held at *Market-Deeping* on the 20th of *September* in the ſame Year, and at another held likewiſe at *Market-Deeping* on the 20th of *Auguſt* 42 *Eliz.* and an Act of Parliament 1 *Jac.* Entituled, *An Act for Relief of Thomas Lovel* Eſq; and every Clauſe therein, other than ſuch as are hereafter confirmed, are hereby Repealed.

XLII. *Edward* Earl of *Mancheſter*, *William* Earl of *Devonſhire*, *John* Lord *Berkley* of *Stratton*, *Anchatil Grey* Eſq; *Henry Grey* Eſq; their Heirs and Aſſigns, and the Surviver of them, declared Undertakers for Draining *Deeping*, *Pinchbeck*, *Thurlby*, *Bourn* and *Croyland* Fens, in Truſt for ſuch perſons, and to ſuch intents and purpoſes as are herein after mentioned. Within ſeven years next enſuing, they, &c. ſhall recover and make dry the ſaid Fens, except about two hundred or three hundred Acres in *Deeping* Fen, and

Goggushland, and about fourty Acres in *Thurlby* and *Bourn* Fens, which are to be left for Lakes for the receipt of Waters: and except such Drains as are or shall be for Draining, and so much Ground as doth or shall lie between the Rivers, Drains, *&c.* and their Banks: and shall for ever at their own Costs, not only repair and keep the Banks encompassing the said Fens, but also the Bank on the East-side of the *Welland*, from *Brother-house* to *Spalding High-Bridge*; and the Bank from the North-side of the *Glean* from *Gutheram Coat* to *Doveburn*; but shall for ever keep the said Rivers with sufficient Dyking, Roading, Scouring and Banking, *viz.* the *welland* from the Out gang at the East-end of *East-Deeping*, unto the Out-fall into the Sea, without diverting the Course thereof as it now passeth from the Corner of *Deeping* Fen to the Sea, or of the *Glean* as it now passeth from *Doveburn* to the Sea.

XLIII. The said Trustees, *&c.* shall set down and maintain convenient Bridges with Gates, in wideness not exceeding twelve Foot, Railed or Walled against the Sides, for passage into the Fens, in such Places as shall be ordered by any six Commissioners of Sewers for the County of *Lincoln* in their open Sessions.

XLIV. The said Trustees, *&c.* may at pleasure desert, or continue and enlarge such Drains as now are, and make new ones; making satisfaction to any suffering Damage by the Water soaking through the Banks thereof, as shall be Awarded by the said Commissioners or any six of them in open Sessions: the Inhabitants of *Spalding* and *Pinchbeck* to have liberty to set down and stop such Sluces, Tunnels and Gages of Water and Locks as are or shall be upon the said Rivers and Drains, except the *welland*, *Glean* and *Westlode*, at such times as two Commissioners of Sewers for the Parts of *Holland* shall judge necessary for Draining their In Grounds: the same not exceeding two months in the Year. And if any of the Banks break or be overflown, whereby the Waters fall into any Lands in the Wapentake of *Elloe*, the Dyke-Reeves, Officers, or other Inhabitants there, may set down the Slough of such Drain, or otherwise stop the same, till the Banks be repaired and heightned.

XLV. If any Gool, Breach or Overflowing shall happen in, over or through any of the said Banks, other than the Bank called the *Dozens*, and *Haw-thorn* Bank, and be not amended within ten days, the Dyke-Reeves or Surveyors of Sewers in *Spalding* or *Pinchbeck*, or other the Towns in the Wapentake of *Ness* or *Elloe*, may repair the same at the Costs of the Trustees, *&c.* the Money expended to be repaid upon a Note delivered in Writing to them, *&c.* their Tenant, Servants, *&c.* or any of them, under the Hands of two Commissioners of Sewers, whereof one to be of the *Quorum*; which if the said Trustees, *&c.* shall refuse to pay, the said Officers or Persons, *&c.* may enter into the third part of the said Fens, or the five thousand Acres additional Recompence herein after given, and Distrain upon them, *&c.* their Tenants, Farmers, *&c.* after four days

days to ſell the Diſtreſs, rendring the overplus to the Owner.

XLVI. The Dyke-Reeves and Surveyers of Sewers in *Pinchbeck* and *Spalding* or any the Towns in the Wapentake of *Neſs* or *Elloe*, may repair at the Coſts of the ſaid Truſtees, *&c.* to be Levied in manner aforeſaid, all ſuch Breaches, Gools and overflowing of Waters as ſhall happen in, over, or through the Bank called the *Dozens*, the *Haw-thorn* Bank, the Eaſt-Bank, the Bank on the North-ſide of the *Glean*, or any other Bank without the ſaid Fens, made or to be made in order to the Draining of them.

XLVII. The ſaid Truſtees, *&c.* ſhall make ſatisfaction for Damages ſuſtained by their own negligence in not ſufficiently maintaining or cleanſing any Rivers, Banks or Drains, or by any inconvenient placing, ſetting or making any Drain, Gate, or Sluce, as ſix Commiſſioners of Sewers for the part of *Holland*, whereof three to be of the *Quorum*, ſhall appoint, (if not otherwiſe ſatisfied by the Lords Adventurers) which if they neglect to pay by the ſpace of twenty days after demand made to them, their Agents or Tenants, *&c.* the perſons ſuſtaining ſuch Damage, may enter and Diſtrain as aforeſaid. The ſaid Truſtees, *&c.* for the enlargement of any old Drains, or Banks, or making new ones, may cut or cover the ſeveral Soil of any perſon, agreeing with the Owner, or paying or tendring before ſuch Soil be cut or covered ſuch value for the Damage as ſhall be ſet down by ſix Commiſſioners of Sewers, whereof three to be of the *Quorum*.

XLVIII. The Truſtees, *&c.* may pull up any Bridges over the *Glean* and *Welland*, the Rivers of *Weſtload*, or *Starſengraft*, *Vernats*, or any other Drain that is or ſhall be, that may hinder the paſſage of the Waters, and all Wears and Purpreſtures: Provided they forthwith build again at their own charges the High-Bridge over *Spalding* River, of Lime and Stone, and all other Bridges of ſuch Materials as the former were. The ancient Bridges and Tunnels to be maintained for ever at the charges of the ſaid Truſtees, *&c.* If the ſaid Bridges ſhall not be made or repaired by the ſaid Truſtees, *&c.* in convenient time, the Commiſſioners of Sewers may decree what Sums of Money will be neceſſary for effecting the ſame, and upon default of payment thirty days after notice thereof by a Note under the Hand of their Clerk, may Levy the ſame by Diſtreſs (and Sale of the Goods) upon any Lands hereby veſted in the ſaid Truſtees. If the High-Bridge over *Spalding* River be not finiſhed before the 25th of *March* 1670, the ſaid Truſtees, *&c.* ſhall forfeit 150*l.* to *Piercy Church* Eſq; *&c.* to be raiſed by the Commiſſioners of Sewers, by Sale of part of the third part of the ſaid Fens, or of the ſaid three thouſand five hundred Acres therein mentioned.

XLIX. The Truſtees, *&c.* may cut the Ground lying between the Outring Banks and the ſaid Rivers, to take Earth, Manure and Litter for repairing the Banks, as need ſhall require, (ſuch cutting not to be above ſixſcore Foot diſtant from the Banks) and may erect and keep ſuch Bars and Slakers, and in ſuch places as they think

think fit, to take off the ſurpluſage of Waters, and hinder the Drifts of Cattel over the Banks in the times hereafter prohibited. No perſon (except as hereafter is excepted) ſhall between *Michaelmas-day* and the firſt of *May* in any year drive any Cattel upon the ſaid Banks, without paying to the Truſtees, *&c.* 4 *d.* for every ſcore of Sheep, and for every other Beaſt 4 *d.*

L. The Lords, Owners and Commoners in the Fens, ſhall pay nothing, unleſs they Trade that way to *London* with Cattel not of their own feeding a month before.

LI. No perſon keeping a Horſe-Boat at *Croyland*, *Cloot*, *Deeping*, *Baſton*, *Eſtwat*, *Pinchbeck*, *Spalding*, or *Cowlet*, ſhall Land any Horſemen or Cattel upon the ſaid Banks between the days aforeſaid, but at *Waldromehill*, *Baſton*, *Spout*, *Coveburn*, *Cloot* or *Croyland*, without Licence from the Truſtees, *&c.* on pain to forfeit for every Horſe a Neat Beaſt, 6 *d.* and for every ſcore of Sheep, 4 *d.* to the Truſtees, *&c.* nor ſhall any perſons draw any Boat over any Bank in, or compaſſing the ſaid Fens, but in places thereto appointed.

LII. No Swine ſhall be put upon the Fens but where other Cattel are put in, and ſhall be Ringed, on pain to forfeit for every Hog Unringed, 2 *d.* to the Truſtees, *&c.* to be Levied by Diſtreſs.

LIII. The ſaid Truſtees, *&c.* their Tenants, *&c.* ſhall not uſe or claim any Common of Paſture in any part of the remainder of the Fens, nor in the North-Fen of *Pinchbeck* and *Spalding*, by virtue of their reſiance there: Nor ſhall the Inhabitants of the ſaid third part, or any part of the ſaid five thouſand Acres that are poor, become chargeable to the Pariſhes wherein they dwell, but ſhall be maintained by the ſaid Truſtees, *&c.*

LIV. No Water (otherwiſe than neceſſary for Houſhold uſes, as is by ſome Law of Sewers already ſettled) ſhall be let out of the *Glean* or *Welland*, or any other the ſaid Drains, without Licence of the Truſtees, *&c.* or by Order of ſix Commiſſioners of Sewers, the Cuts to be made up again at their charge for whoſe benefit they were made, and if any Abuſe happen to be therein, the Truſtees, *&c.* may ſtop the ſame.

LV. The Inhabitants of *Pinchbeck* and *Spalding* ſhall have the uſe of a Sluce called *Blew-gate*, and the Drain leading to it, ſo as the Truſtees, *&c.* be at no charge for maintaining it.

LVI. The Drain under the *Dozens* from *Boſton* Bank to *Winſover*, ſhall be Ditched two hundred Foot more inward than now it is, and the Earth laid on that ſide of the Bank next *Pinchbeck*.

LVII. The ſaid Truſtees ſhall enjoy to them, their Heirs and Aſſigns, the third part of the ſaid Fens formerly aſſigned to *Thomas Lovel*, and three thouſand five hundred Acres allotted by a Decree of Sewers made at *Spalding*, and a thouſand Acres out of that part of the Fens formerly taken in for the Queens improvement, and five hundred Acres more to be taken proportionably out of the reſidue of the Fens in *Keſteven* and *Holland*, next adjoyning

joyning to the ſaid three thouſand five hundred Acres; theſe five thouſand Acres to be meaſured by Statute-meaſure by two Artiſts, at the charge of the Truſtees, one to be choſen by the Commiſſioners of Sewers for *Keſteven* and *Holland*, and one by the ſaid Undertakers: but upon theſe Truſts; *viz.* that they ſhall grant eight thouſand thirty ſix Acres mentioned in a Schedule annexed to an Indenture of fifteen parts, dated the 2d of *Auguſt* 1650, made between *Elizabeth* Counteſs Dowager of *Exeter* and others, and two thouſand Acres to be ſet out within ſix months, to ſuch Perſons, and for ſuch Eſtates, and in ſuch manner as *Thomas* Earl of *Berks*, the Lord *Andover*, Lord *Bruce*, and *John* Lord *Berkley* of *Stratton* ſhall appoint: and for the reſidue of the ſaid Fens by this Act allotted for Recompence for Draining, in Truſt for the ſaid Earl of *Berks* and *Elizabeth* his Wife, the ſaid Lord *Andover*, the Earl of *Elgin*, Counteſs of *Stamford*, Lord *Grey*, and ſuch others to whom Eſtates are limited under *William* late Earl of *Exeter* and *Elizabeth* his Wife, or either of them. If the Commiſſioners ſhall not nominate a Surveyor within three months after nomination by the Truſtees, the Truſtees may proceed by their own Artiſt.

LVIII. The Truſtees, *&c.* ſhall ſufficiently Fence and Incloſe all the Lands by this Act to them granted: nor ſhall they Diſtrain any Cattel entring for default of ſuch Incloſure: and if any Action be brought for the ſame, the Defendant may Plead the General Iſſue, and give this Act in Evidence: the two Drove-ways from *Keſteven* into *Holland* ſhall be continued open, and the Banks or Drains to be made or continued, ſhall not hinder the Land-Waters falling from *Keſteven* into the ſaid Fen.

LIX. This Act ſhall not charge the Perſons of the Truſtees, *&c.* nor their Eſtates, Real or Perſonal, other than their Eſtates of and in the ſaid Fens.

LX. If the Truſtees, *&c.* ſhall not finiſh the Draining of the ſaid Fens within ſeven years, or ſhall not afterward keep and maintain the ſame dry and depaſturable for Cattel, but ſhall ſuffer the ſame or moſt part thereof to be overflowed five years, and that found to be through their default, by the greater number of twelve Commiſſioners of Sewers, whereof ſix to be of the Parts of *Holland*, and ſix of *Keſteven*, upon their own View, or Preſentment of Jury, and certified into Chancery; from thenceforth the Truſts aforeſaid, and all Eſtates by them executed, ſhall be void, and the ſaid Truſtees, *&c.* ſhall be ſeized of the ſaid third part, and the ſaid additional Allotments in Truſt, to ſuffer the ſaid Commiſſioners of Sewers of *Keſteven* and *Holland*, to receive the whole Rents, Iſſues and Profits, to be Expended for regaining the Fens, and doing ſuch Works as the Truſtees ought to have done, and in Truſt to execute ſuch Eſtates as twelve Commiſſioners of Sewers of *Holland* and *Keſteven*, three of each to be of the *Quorum*, ſhall appoint.

LXI. If the Truſtees, *&c.* ſhall not at or before the end of ſeven years pay a hundred pound to ſuch perſons as the ſaid Commiſſioners

ers of Sewers from time to time ſhall appoint, the ſaid Commiſſioners may authorize any perſons to enter into the ſaid third part, and additional Lands, and out of the Profits thereof to raiſe the ſame, for repairing of the *South-Dozens* and *Haw-thorn* Bank, and ſo from time to time as the ſaid ſum or any part thereof ſhall be expended, if not ſupplied within ſix months after.

LXII. The Aſſeſſees of the ſaid one thouſand thirty ſix Acres, or any part thereof, as Adventurers under the ſaid Truſtees, *&c.* may hold Meetings of themſelves, their Agents and Workmen for making By-Laws for the more orderly management of the ſaid Work of Draining within themſelves reſpectively: and they, or any three or more of them, may charge the Owners of the ſaid one thouſand thirty ſix Acres by an Acre-Tax, (every of them ſo Charging and Aſſeſſing to be really then Owner of two hundred fifty Acres or more within the ſaid Fen) and upon default of payment by the ſpace of three months after the time limited, may ſell ſo much of the Defaulters Land within the Fen, as to them or three of them ſhall ſeem fit, ſubject to ſuch Conditions and Forfeitures as are in this Act expreſt: ſuch Conveyance to be Enrolled in Chancery within ſix months after the making thereof.

LXIII. Owners of the Soil of the ſaid Fens, or Commoners there, may incloſe and ſever ſuch quantities of the ſame, (other than ſuch parts as are allotted to the Undertakers) as ſhall be proportionable to their Intereſts, and hold the ſame in ſeveralty; but ſubject to the Powers given by this Act to the Truſtees. The Boundaries of the Waſtes ſo to be incloſed to be ſet from time to time, upon requeſt of any perſons concerned by the perſons hereafter named, *viz. Thomas* Lord *Beamont*, &c. *(ſee their Names in the Act at large)* or any ſeven of them, upon their View or Examination of Witneſſes upon Oath or other Proof; which Determination being certified into the Petty-Bag, ſhall conclude all Parties. Perſons aggrieved may within ſix months after appeal to any thirteen or more other perſons of the ſaid Judicature, whoſe Determination ſhall be final. The ſaid Commiſſioners before they execute the Powers hereby given, other than the Adminiſtring this Oath to one another, ſhall take this Oath, *viz.*

I A. B. am not intereſſed in Poſſeſſion, Reverſion or Remainder of, in, or to the ſaid Fens, or any part thereof, and ſhall and will without favour or affection, hatred or malice, truly and impartially, according to the beſt of my ſkill and knowledge, execute and perform all and every the Powers and Authorities in me eſtabliſhed by this Act of Parliament.

LXIV. The ſaid Commiſſioners ſhall ſit at *Stamford*, *Market-Deeping*, or *Spalding*, they or ſeven of them ſhall declare the Places and Times of their Meeting by Warrant to be publiſhed in open Market of the ſaid Towns between the Hours of Twelve and Two,

Twenty

Twenty one days at leaſt before the Times of Meeting: and by Warrant from three of them may ſummon Parties and Witneſſes to appear, and if any Controverſie or Difference ſhall ariſe among them concerning the Expoſition of this Act, the two Chief Juſtices and Chief Baron, or two of them, may determine the ſame: their Judgment to be certified together with the Determinations of the Commiſſioners into the Petty-Bag.

LXV. Stat. 20 *Car.* 2. *cap.* 8. All Taxes impoſed for the maintenance of the great Level of the Fens, called *Bedford-Level*, ſhall be Taxed by the Governors, Bailiffs and Conſervators or five of them, whereof the Governor and Bailiffs, or any of them, to be two, upon the ſaid eighty three thouſand Acres, by a gradual Acre-Tax of different ſorts and values of Land.

LXVI. So often as a Tax of Six thouſand one hundred and ten pound ſeven ſhillings and one penny half penny ſhall be Aſſeſſed upon the ninety five thouſand Acres, then the twelve thouſand Acres ſhall be rated at Fifteen pence the Acre, and ſo proportionably for the raiſing of greater or leſſer ſums. No Taxes by virtue of this Act ſhall be impoſed but upon *Wendeſday*, *Thurſday* and *Friday* next after the firſt *Sunday* in *April*, or ſome one of them yearly.

LXVII. Sales for non-payment of Taxes appointed by the Act of 15 *Car.* 2. *cap.* 17. to be made at *Ely* upon *Wedneſday* and *Thurſday* in *Whitſun*-week yearly, ſhall be upon the ſaid *Wedneſday*, *Thurſday* or *Friday* after the firſt *Sunday* in *April* yearly. The Serjeant at Mace of the ſaid Great Level ſhall by Precept under the Corporation-Seal deliver Poſſeſſion to ſuch Purchaſers.

LXVIII. Surveyors appointed to digeſt the ſaid eighty three thouſand Acres into ſorts and degrees of Land not under the number of ſeven, and to make returns thereof into the Fen-Office, for the more equally rating them by a gradual Acre-Tax.

LXIX. Stat. 1. *Jac.* 2. *cap.* 21. The Clauſe in the Act of 15 *Car.* 2. *cap.* 17. (which *vid. ſupra ſect.* xxviii.) for dividing and encloſing Commons in Waſtes, is hereby repealed: and no Encloſures ſhall be hereafter made; but Encloſures already made, and certified into the Petty-bag-Office, ſhall continue.

LXX. All Agreements betwixt Perſons and Town ſhips, not to divide, but to feed and order their Commons and Waſtes by an equal ſtint of Cattle, in proportion to their Advantage and Improvement, made and confirmed by Decree in Chancery, are hereby Ratified.

LXXI. Decrees and Adjudications for Encloſures and Allotments already made, but not ſigned, ſealed and certified into the Petty-bag-Office, which ſhall be made perfect before the 24th of *June* 1686, ſhall be good in Law: and all not perfected before that time ſhall be void.

Maſons.

Maſons.

I. Stat. 3 *H.* 6. 1. It ſhall be Felony to plot Confederacies amongſt Maſons; and ſuch as aſſemble upon ſuch Confederacies ſhall ſuffer Impriſonment, and make Fine and Ranſom at the Kings will.

☞ Matrimony and Marriage.

I. Stat. 32 *H.* 8. 38. *pars inde.* All Marriages ſhall be adjudged lawful that are not prohibited by Gods Law.

II. Stat. 2 & 3 *E.* 6. 21. All Laws, Canons, Conſtitutions and Ordinances which prohibit Marriage to Spiritual Perſons, who by Gods Law may Marry, and all Pains and Forfeitures therein contained, ſhall be void.

III. Provided, That this Act ſhall not give liberty to Marry without Asking in the Church, and other Ceremonies appointed by the Book of *Common-Prayer.*

IV. Degrees and Divorces heretofore made, are ſaved.

V. Stat. 5 & 6 *E.* 6. 12. The Marriage of Prieſts and other Spiritual Perſons ſhall be lawful, and their Children Ligitimate and Inheritable; likewiſe they to be Tenants by the Courteſie, and their Wives Dowable.

VI. Stat. 1 *Jac.* 1. 11. A *Bigamus* ſhall ſuffer death as a Felon, unleſs he or ſhe have had no notice that the Huſband or Wife was living within ſeven years before, or the Marriage be ſevered by Divorce.

VII. This Felony ſhall cauſe no corruption of Blood, or loſs of Dower or Inheritance.

VIII. Stat. 12 *Car.* 2. *cap.* 33. All Marriages ſolemnized in any the Kings Dominions ſince the firſt of *May* 1642. before any Juſtice of Peace, or ſo reputed, or according to any Ordinance or reputed Ordinance of both or either Houſes of Parliament, or of any Convention ſitting at *Weſtminſter* under the Name of a Parliament, ſhall be of Effect as if ſolemnized according to the Rites uſed in the *Church of England:* and Iſſue upon Baſtardy, or unlawfulneſs of Marriage, concerning ſuch Marriages, ſhall be Tried by Jury. *Confirmed* 13 *Car.* 2. *cap.* 11.

Meſne.

I. Stat. *Weſtm.* 2. 9. 13 *E.* 1. The Tenant Diſtrained by the chief Lord, may have a Writ of *Meſne* in the County where he is Diſtrained, againſt the Meſne, who having Land in that County, and not appearing till the Grand Diſtreſs, Day ſhall be given in the Grand Diſtreſs, ſo as two Counties may be holden before the Return, wherein the Sheriff ſhall proclaim that he come to anſwer the Tenant at the Day;

Day; at which Day if he come not, he loſeth his Service, and then the Tenant ſhall anſwer to the chief Lord ſuch Service as he ought to have done to the Meſne.

II. The chief Lord ſhall not Diſtrain the Tenant ſo long as he offers him the Services due; and if the Lord exact more than the Meſne ought to do, the Tenant may have ſuch Remedy as the Meſne might have had.

III. Upon a Return that the Meſne hath nothing to be ſummoned by, an Attachment ſhall go out; and upon a *Nihil* returned, the Grand Diſtreſs with Proclamation as before.

IV. The Meſne having no Land in that County, but in another, upon ſuch a Return by the Sheriff, the Party ſhall have a Writ Judicial to ſummon the Meſne in that County where it is teſtified that he hath Lands; and both there and in the other County ſhall proceed to the Grand Diſtreſs, Proclamation and Judgment, as before.

V. The Meſne coming into the Court, and acknowledging, or being adjudged to acquit the Tenant, and not doing it, the Tenant ſhall thereupon have a Judicial Writ of Acquittal: whereupon if the Meſne come in, and the Tenant can aver that the Meſne hath acquitted him, he ſhall be ſatisfied his Damages, be quit of the Meſne, and hold of the chief Lord. And here alſo, if the Meſne come not at the firſt Diſtreſs, then another Diſtreſs ſhall go out, Proclamation ſhall be made, and Judgment had as before.

VI. This Statute extendeth only where there is but one Meſne between the Lord that Diſtraineth and the Tenant, the Meſne alſo being of full age, and the Tenant Tenant in Fee-ſimple.

Militia.

I. Stat. 13 *Car.* 2. *cap.* 6. Foraſmuch as the Supream Government of the Militia, all Forces by Sea and Land, Forts and Places of Strength is, and ever was the Kings undoubted Right, and that both or either of the Houſes of Parliament cannot pretend to the ſame, nor may Levy War Offenſive or Defenſive againſt the King, and whereas an Act is under Conſideration for Exerciſing the Militia with ſafety and eaſe to the King and People; the Militia and Land Forces ſhall be managed till the 25th of *March* next enſuing as now they are, according to ſuch Inſtructions as they ſhall receive from the King.

II. Stat. 13 & 14 *Car.* 2. *cap.* 3. The King, his Heirs and Succeſſors may from time to time iſſue Commiſſions of Lieutenancy for the ſeveral Counties, Cities and Places of *England*, *Wales* and Town of *Berwick*; which Lieutenants may call together ſuch Perſons, at ſuch Times, and Arm and Array them in ſuch manner as follows, and form them into Companies, *&c.* and conduct and employ them within the Places for which they ſhall be Commiſſioned, and other the Places aforeſaid, to ſuppreſs Inſurrections, or repell

repell Invaſions, as the King ſhall direct. The ſaid Commiſſioners may give Commiſſions to Colonels, Majors, Captains and other Commiſſion-Officers, and Preſent to the King the Names of ſuch as they think fit to be Deputy-Lieutenants, and upon his approbation ſhall give them Deputations; yet the King may order otherwiſe, and at pleaſure Commiſſionate or Diſplace ſuch Officers: and the ſaid Lieutenants, and in their abſence, or otherwiſe by their Directions, the Deputy-Lieutenants, or any two or more of them, may Exerciſe and Conduct the perſons ſo to be Armed, *&c.* as is hereafter expreſſed.

III. The Lieutenants or Deputies, or major part of them then preſent, or in abſence of the Lieutenants, the major part of the Deputy-Lieutenants then preſent, which ſhall be three at the leaſt, may charge any where their Eſtates lie, with Horſe, Horſeman and Arms, that have 500 *l. per annum* in Poſſeſſion, or 6000 *l.* in Goods or Money, beſide Furniture of their Houſes, and ſo proportionably: and any with a Foot-Souldier and Arms that have 50 *l. per annum* in Poſſeſſion, or 600 *l.* in Goods and Money, other than Stock on the Ground, and ſo proportionably; they ſhall charge none to find both Horſe and Foot in the ſame County.

IV. None ſhall be chargeable with or towards a Horſeman and Foot-Soldier too for the ſame Eſtate: ſeveral perſons may be joyned together in the charge of finding a Horſe, Horſeman, and Arms.

V. None having under 100 *l. per annum* in poſſeſſion of any Eſtate, or under 1200 *l.* perſonal Eſtate, ſhall contribute in finding any Horſe: the ſaid Lieutenants and Deputies, or any three, *&c.* may hear Complaints, examine Witneſſes upon Oath, and give redreſs in matters relating to the Execution of this Act; and ſhall require allowance of 2 *s. per diem* to Troopers, and 12 *d.* a day for the Foot-Soldiers (if the Perſons charged ſerve not in Perſon) for ſo many days as they are abſent from their Dwellings: and may lay Rates for Ammunition and other Neceſſaries, not exceeding in a year a fourth part of one months Aſſeſſment in each County, after the rate of 70000 *l. per menſem* lately charged by an Act, Entituled, *An Act for raiſing Seventy thouſand Pound for a further Supply to his Majeſty*; to be paid according to their Directions, under ſuch Penalties, and by ſuch Means as are preſcribed in the ſaid Act.

VI. And in caſe of Inſurrection or Invaſion, the perſons charged ſhall provide their Soldiers with Pay in hand not exceeding one months Pay, as ſhall be directed by the Lieutenants, and in their abſence or otherwiſe, by their direction by their Deputies, or any two or more; for repayment of which, and for ſatisfaction of the Officers, for ſuch time not exceeding one month, as they ſhall be in actual Service, proviſion ſhall be made by the King out of the Publick Treaſury. None that have advanced a months Pay, ſhall be charged with any other months Payment till they are Reimburſed.

VII. The

VII. The Lieutenants and their Deputies or chief Officers upon the Place, may charge Carriages and Horses to carry Powder and other Materials at 6 *d.* a Mile outward, for every Carriage with five Horses and six Oxen, and so ratably; and for every loose Horse 1 *d.* upon marching of any Company on occasion of Insurrection or Invasion: and may imprison Mutineers and Souldiers not doing their Duties at Musters and Trainings: and inflict Mulcts not exceeding 5 *s.* or Imprisonment not exceeding twenty days for every Offence.

VIII. If any charged neglect to provide, or to pay such sums as aforesaid, the Lieutenants and their Deputies, or three, *&c.* may inflict a Penalty not exceeding 20 *l.* and by Warrant under Hand and Seal levy such sums, or the value of such Horses, Arms and Furniture, and Penalty inflicted by Distress and Sale of Goods: to be imployed to the uses in default whereof it was imposed.

IX. If any so to be armed, detain or imbezzle his Horse or Furniture wherewith he is intrusted, the Lieutenants, and in their absence, *&c.* may Imprison till satisfaction; and if such persons appear not compleatly Armed upon Summons, through their own default, may imprison them five days, or inflict a Penalty, if a Horseman not exceeding twenty Shillings, and if a Footman not exceeding ten Shillings, to be paid without delay; and if any so charged neglect to send in his Horse, *&c.* upon Summons they may inflict a Penalty not exceeding five Pound, to be levied by Distress and Sale of Goods.

X. The Lieutenants and their Deputies, or three, *&c.* may examine upon Oath touching the ability of persons to be charged, such as they think convenient, other than the persons themselves.

XI. The Lieutenants shall appoint for receiving and paying Monies, Treasurers and Clerks, who shall every six months give their Accounts in Writing upon Oath to the Lieutenants, *&c.* which shall be certified to the Lords of the Privy-Council, and a Duplicate thereof to the Justices of Peace, at the next Quarter-Sessions.

XII. The Deputy-Lieutenants shall observe the directions of the respective Lieutenants: the Lieutenants, or two or more of their Deputies, may by Warrant employ persons (of which a Commissioned-Officer, and a Constable or his Deputy, or the Tything-man, or in their absence some other Officer of the Parish, shall be two) to search for and seize Arms in the custody of such as the said Lieutenants, or any two of their Deputies judge dangerous, and detain them for the service aforesaid, and give account thereof to the Lieutenants, *&c.* No search to be made between Sun-setting and Sun-rising, other than in Cities and their Suburbs, Towns Corporate, Market-Towns, and Houses within the Bills of Mortality, if the Warrant so directs. No Dwelling-House of a Peer shall be searched but by Warrant from the King under the Sign-Manual, or in the presence of the Lieutenant, or one Deputy-Lieutenant; in

case of resistance it shall be lawful to enter with force; the Arms seized may be restored, if the Lieutenants, their Deputies, or two, &c. think fit.

XIII. High-Constables, Petty-Constables, and other Officers, shall be assisting in execution of the Premises.

XIV. If any persons charged, reside not in the County, the Lieutenants and Deputies, or three, &c. shall send notice to his Servant that manageth his Land; or if all be Let to one or two of his most sufficient Tenants, who are to convey it to their Master or Landlord, and within the time appointed bring his answer to the Lieutenants and Deputies, or three, &c. and upon his neglect shall provide as he ought to have done; else the Lieutenants, and in their absence, &c. by Warrant under their Hands and Seals, may levy by distress and sale of Goods, the Penalties appointed by this Act; which such Tenants may defalk out of their next Rent; unless the Landlord within two months after such levying, make appear to the Lieutenants, and in their absence, &c. that the default was occasioned by neglect of the Tenant.

XV. No Peer shall serve as Lieutenant or Deputy-Lieutenant, unless he shall first before six Lords of the Privy-Council, or others authorized by the King thereunto, take the Oaths of Allegiance and Supremacy, and this Oath;

I A. B. do declare and believe, that it is not lawful upon any pretence whatsoever to take Arms against the King; and that I do abhor that traiterous Position, That Arms may be taken by his Authority against his Person, or against those that are commissioned by him in pursuance of such Military Commissions. So help me God.

And no other person shall act as Lieutenant, Deputy-Lieutenant, Officer or Souldier by virtue of this Act, that shall not take first the said Oaths before any Justice of Peace of the respective Counties: but Lieutenants also may administer the said Oaths to their Deputy-Lieutenants, not being Peers; and they, or in their absence, &c. to the said Officers and Souldiers.

XVI. General Musters shall be but once, and Training of single Companies not above four times in a year, unless special Direction be from the King or Privy-Council: Single Companies shall not be continued in Exercise above two days: At general Musters none shall be constrained to stay above four days from their Habitations. Every Musqueteer shall bring half a pound, and every Horseman a quarter of a pound of Powder: The Arms and Furniture for Horse are to be as follows: The Defensive Arms, a Back, Breast and Pot; the Breast and Pot Pistol-proof. The Offensive Arms, a Sword and a Case of Pistols, the Barrels fourteen Inches long: The Furniture for a Horse shall be a great Saddle or Pad with Burs and Straps, a Bit and Bridle with Pectoral and Crupper. The Musqueteers shall have Musquets with Barrels three Foot long: the Gage of the

Bore

Bore for Bullets of twelve to the pound; a Collar of Bandeliers and a Sword; a Pike-man shall have a Pike of Ash not under sixteen Foot long, with a Back, Breast, Head-Piece and Sword; but Musquets already made, that will bear a Bullet of fourteen to the pound, and Pikes not under fifteen Foot long, shall be allowed.

XVII. The Militia for the Isle of *Purbeck* shall remain separate from the County of *Dorset*.

XVIII. Persons charged shall not be compellable to serve in Person, but may find others to be approved by their Captain, but subject to be altered upon appeal to the Lieutenant, or in his absence, *&c.* Persons so found shall serve under such Penalties as are before appointed in this Act: all serving in Person, who are also to be approved of as aforesaid, and all serving in others stead, shall at the next Muster of their Troop give in their Surnames and Places of abode to such as the Lieutenant, or in his absence, *&c.* shall appoint to be Listed; after such Listing such party shall not desert the Service, or be discharged thereof, without leave of the Lieutenant or two Deputy-Lieutenants, or his Captain (but not subject to such appeal) under their Hands and Seals on pain of 20 *l.* to be levied *ut supra*: and upon non-payment or want of distress, to be committed for any time not exceeding three months to the common Gaol of the County.

XIX. Nothing in this Act shall put a new charge of Arms upon the Tinners in *Devon* and *Cornwall*; but the Lord-Warden of the *Stannaries*, in pursuance of the Kings Commission, and such as he shall authorize according to the directions in this Act, shall Assess, Arm and Muster the Tinners there.

XX. The Lieutenants for the Militia of *London* shall continue to list and levy the Train Bands and Auxiliaries there, in such manner as was used in forming the present Forces now raised by the Kings Commission, and may levy yearly so much Mony as they shall judge needful, as the present Assessment is now levied, not exceeding in one year, one months Tax, which the City now pays toward the Tax of 70000 *l. per mensem*.

XXI. Officers and Souldiers of the Militia of any City, Burrough or Town-Corporate, that is a County in it self, or other Corporation or Port-Town, shall not be compellable to appear out of the Liberties of the same at any Exercise, only such places shall find their usual number of Souldiers, unless the Lieutenants lessen the same.

XXII. Covenants between Landlords and Tenants shall not be avoided by this Act; nor any alteration made in the *Isle of Wight*, as to the Militia of that place.

XXIII. The Constable or Lieutenant of the *Tower* may continue to levy the Train-Bands of the *Tower* Hamlets, in such manner as was observed in forming the present Forces.

XXIV. No Peer shall be charged otherwise than as followeth, *viz.* The King shall issue Commissions under the Great Seal

to twelve or more Peers, who, or five of them, shall Assess the Peers according to the proportions in this Act (except the monthly Taxes, which are to be levied as above) and put all the Authorities in this Act in Execution, Imprisonment excepted: which Charge and Penalties imposed shall be certified to the respective Lieutenants, and in default of performance, they, their Deputies, or three, &c. shall cause Distresses to be taken, and for want of satisfaction within a week after, sell the same for performance of the said Service: and if the Tenant of any Peer shall be distrained for such default, he may deduct the Sum levied out of his Rent.

XXV. *Stat.* 15 *Car.* 2. *cap.* 4. The Lieutenants of the several Counties, and in their absence, or otherwise by their direction, their Deputies, or two of them, may from time to time Lead, Train, &c. all persons raised and arrayed according to the Act of 13 & 14 *Car.* 2. *cap.* 3. and all persons charged, shall on pain of 5 *s.* allow upon demand 2 *l.* 6 *d.* by the day to each Trooper, and on pain of 2 *s.* shall allow 1 *s.* a day to a Foot-Souldier, for so many days as they are absent from their Dwellings; unless some other agreement be made: the Penalty to be paid to such Trooper or Footman, and to be demanded within six weeks after default, or at or before the next Exercising, and not afterwards.

XXVI. The Lieutenants and Deputies, or three of them may inflict a Penalty not exceeding 5 *l.* on persons refusing to provide such Foot-Souldiers, &c. to be employed to the uses in default whereof it was imposed: and may appoint Constables to provide upon a Penalty not exceeding 40 *s.* so many Foot-Souldiers, with Wages and incident Charges, as shall be assessed upon Revenues under 50 *l. per annum*, or personal Estates less than 600 *l.* in their several Parishes, &c.

XXVII. If any refuse to provide or pay, &c. the Constables by Warrant for that purpose may levy it by distress and sale of Goods: the Tenant shall pay it, and deduct it out of his Rent.

XXVIII. Once a year each Souldier shall pay to his Muster-Master (who shall be an Inhabitant of the respective County) such Sum not exceeding 1 *s.* for a Horseman, and 6 *d.* for a Footman, as the Lieutenants and Deputy-Lieutenants, or three of them, under Hand and Seal direct; who may levy it by distress and sale of Goods on the persons chargeable, unless the default be through the Souldiers neglect, who in that case is to be accountable for the same.

XXIX. At every Muster a Musqueteer must bring half a pound of Powder, and half a pound of Bullets, and if he serve with a Match-Lock, three yards of Match; a Horseman a quarter of a pound of Powder, and a quarter of a pound of Bullets, at their charge who provide the said Souldiers; who are to forfeit 5 *s.* for every omitting to bear such charge.

XXX. Every commissioned Foot-Officer in the Militia shall be excused from finding Horse or Foot, if charged but with one Horse

or

or leſs, if with more, then for ſo much as ſhall be charged with one Horſe.

XXXI. Souldiers raiſed by virtue of this Act, ſhall be ſubject to all Orders of the former Act, and under the Penalties therein expreſſed.

XXXII. The Lieutenants and Deputies, or three of them, may diſpoſe ſo much of the fourth part of one months Aſſeſſment mentioned in the former Act, to the inferiour Officers, as they think fit.

XXXIII. Defendants in Actions for any thing done in Execution of this Act may plead the General Iſſue, and if Judgment be for him, or the Plaintiff be non-ſuit or diſcontinue, ſhall have double Coſts: and ſuch Actions ſhall be laid in the proper Counties, and brought within ſix months after cauſe of Action.

XXXIV. The Forfeitures by this Act impoſed (not otherwiſe provided how to be levied or recovered) may be levied by Warrant under Hand and Seal from the Lieutenants and their Deputies, or three of them, by diſtreſs and ſale of Goods, and for want thereof by commitment till ſatisfaction by like Warrant.

XXXV. None that have Eſtates of 200 *l. per annum*, or perſonal Eſtates of 2400 *l.* ſhall be charged with Foot; but they that have a 100 *l. per annum*, or 1200 *l.* and under 200 *l. per annum*, or 2400 *l.* may be charged with Foot or toward finding Horſe; but this ſhall make no alteration concerning the Forces to be raiſed in Cities, Corporations and Port-Towns.

XXXVI. The Warden of the *Cinque* Ports, and in his abſence his Lieutenants ſhall put in Execution in the ſaid Ports, and their Members the Authorities given in theſe Acts, and continue the uſual number of Souldiers there, unleſs they ſee cauſe to leſſen the ſame. The Inhabitants of the ſaid Ports, *&c.* ſhall not be charged for their Eſtates in the Counties adjacent, but for ſo much as they are liable to and not charged within the ſaid Ports, *&c.*

XXXVII. The Parish of St. *Martins* in the Suburbs of *Stamford*, may be charged by the Lieutenants and Deputy-Lieutenants of the County of *Lincoln*.

Vid. Muſters.

Miniſters.

I. Stat. 12 *Car.* 2. *cap.* 17. Every Eccleſiaſtical Perſon ordained by any Eccleſiaſtical Perſon, before the 25th of *December* laſt paſt, being twenty four years of Age, and having not renounced his Ordination, who hath been ſince the 1ſt of *January* 1642. preſented to or placed in poſſeſſion of any Eccleſiaſtical promotion with Cure of Souls, and was on the ſaid 25th of *December* in poſſeſſion thereof, is hereby declared to be lawful Incumbent and Poſſeſſor of the ſame to all intents. Saving to Patrons their right of Patronage upon the next avoidance.

II. Every voluntary Surrender to the Patron, or to any other late pretended Powers by any Incumbent shall be adjudged an avoidance. No Presentation or Collation aforesaid, nor Confirmation by this Act shall amount to an Usurpation.

III. Every Ecclesiastical Person formerly dispossest after lawful Presentation and Perception of profits of any Ecclesiastical Living, not having subscribed any Petition to bring the late King to Tryal, or by some open Act justified his Murther, or by Preaching, Printing, Writing, or constant refusal to Baptize, declared his Judgment to be against Infant-Baptism, shall be restored at or before the 25th of *December* next ensuing.

IV. Ministers heretofore ejected out of two or more Livings, shall be restored but to one at their Election, except they have formerly resigned any, and the right Patron put in another, in which case they shall not be restored to the Livings so resigned. The like of Ministers confirmed in any Benefice with Cure of Souls by this Act, which shall have more than one Living.

V. Where the Minister formerly Sequestred, shall declare his consent in Writing before the Commissioners appointed by this Act, there the present Possessor not being scandalous or insufficient, shall be confirmed as rightful Incumbent. Ministers removed shall pay Tenths not pardoned, and make satisfaction for Dilapidations since the 29th of *September* last, &c. and pay all Fifths in arrear last *Michaelmas*.

VI. If any declared by this Act to continue lawful Incumbent, have petitioned to bring the late King to Tryal, or justified his Murther, or declared his Judgment to be against Infant-Baptism, (*ut supra*) such Minister shall not continue Incumbent, but his Living be void as if he were dead.

VII. Justices of Peace in their several Counties, or any five or more of them, near to the Church or Living to which any Minister is to be restored, or from which any is to be removed, not interested as parties in the said Church, shall execute the Powers hereby granted, and determine all Differences touching the same before the 25th of *December* next: and all Suits in Law and Equity concerning the Premisses shall be annulled.

VIII. Leases of Lands belonging to any Sequestred Living, except the Glebe and Tythes, for three Lives and twenty one years, at the ancient Rent, made before the 25th of *December* 1659. shall be as good as if made by the proper Incumbents.

IX. Clerks presented by the true Patrons to the Commissioners for Approbation of publick Preachers, or Committee for plundered Ministers, who sate *Anno Dom.* 1659. and refused without lawful cause, shall be taken to be perfect Incumbents of such Benefice, unless such Patrons have presented others who are possessed, or such Clerks be settled in some other Benefice.

X. This Act shall not continue any Persons in any Living, who since the 25th of *December* last yielded up the possession thereof, and

and are ſtill out of poſſeſſion, or who by Writing under Hand and Seal have agreed to yield it up.

XI. All that have paid Eccleſiaſtical Duties to any in poſſeſſion of any Benefice by pretence of Authority, ſhall be diſcharged of the ſame againſt all Perſons.

XII. The Rectory of *Ewelme* in *Oxfordſhire* ſhall be reſtored to the *Regius* Profeſſor in that Univerſity, and his Succeſſors, according to a Grant by King *James*, and the Rectory of *Somerſham* in *Huntingtonſhire* to the *Regius* Profeſſor in the Univerſity of *Cambridge* and his Succeſſors.

XIII. This Act ſhall not confirm or reſtore any Miniſter that refuſes to take the Oath of Allegiance and Supremacy to be tendred by the ſaid Commiſſioners or three of them.

XIV. Perſons preſented by the King under the Great Seal between the firſt of *May* 1660. and the 9*th* of *September* in the ſame year, ſhall enjoy ſuch Benefices as if this Act had not been made.

XV. But they that on the 25*th* of *December* 1659. were poſſeſſors ſhall not be charged by ſuch Preſentees for any profit recieved before the ſaid 29*th* of *September*.

XVI. The Vicarage of *Kidlington* in *Oxfordſhire* ſhall remain as formerly annexed to the Rectorſhip of *Exeter* Colledge in *Oxford*, and the Rectory of *Garſington* in the ſame County to the Preſidentſhip of *Trinity* Colledge in *Oxford*; and the Rectory of *Caſter* in *Northamptonſhire* to the Biſhoprick of *Peterborough*, and the Vicarage of *Cueſden* in *Oxfordſhire* to the Biſhoprick of *Oxford*.

XVII. This Act ſhall not confirm any that have Printed or Preached any thing againſt the Kings Right to the Crown: ſo as the ſame be proved by two Witneſſes before the Commiſſioners, and ſo adjudged by them before the 25*th* of *December* 1660.

XVIII. If any adjudged to be removed ſhall not give in the poſſeſſion, the Commiſſioners or five of them ſhall grant their Warrant to the Sheriff, to put the perſons adjudged to be reſtored into poſſeſſion: and in default of ſuch Warrant, the Sheriff of the County is required to give poſſeſſion.

XIX. This Act ſhall not confirm any that did appear in Arms to oppoſe the Reſtoring of the King and a free Parliament ſince the firſt of *Auguſt* 1659. ſo as the ſame be proved by two Witneſſes before the Commiſſioners before the 25*th* of *December* 1660. and ſo adjudged by them.

XX. This Act ſhall not confirm any Perſon in the Rectory of *Acton* in *Middleſex*.

XXI. All Peers of this Realm may within ſix Kalender months from the firſt of *September* in this year, preſent their Clerks to any living to which they had right to preſent ſince the firſt of *January* 1642. notwithſtanding any Laps; unleſs where the King before the 9*th* of *September*, in this year by Title of Laps or otherwiſe ſhall have preſented.

Monasteries, Abbeys, Priories, Colledges, Free Chappels, Hospitals, Chanteries, their Governors and Possessions, and also other Religious Persons.

I. *Marlb.* 28. 52 *H.* 3. If Wrongs or Trespasses be done to Abbots, or other Prelates of the Church, and they die before Judgment given thereof, whether or no the Suit be commenced in their Life-time, yet their Successors shall have Actions to demand the Goods of their Church out of the Hands of such Trespassers.

II. The Successors shall also have a Writ to recover Seisin of their Lands intruded into in time of Vacation, and therein damages shall be awarded them as in Assizes of *Novel disseisin* is used.

III. *West.* 1. 3 *E.* 1. The Peace of the Church and Realm shall be duly kept; and Religious Houses shall not entertain any at the Charge of the House, save only the Founders, *&c.* neither shall any charge them, on pain of Imprisonment, to make Fine, and to be otherwise punished at the King's will.

IV. No Purveyance shall be made of a Prelate without his Consent.

V. The Sheriff shall not ride with above five or six Horses, nor endamage Religious Persons by Lodging too often at their Houses or Mannors.

VI. *Artic. Cleri.* 11. 9 *E.* 2. Religious Houses shall not be charged by compulsion with Corodies, Pensions, Resort, or taking of their Horses or Carts, upon the pains ordained by the Statute of *West.* 2.

VII. *Stat.* 1 *E.* 3. *Stat.* 2. 10. There shall be no more grant of Pensions, Prebends, Churches, or Corodies, at the Kings request, by Bishops, Abbots, Priors, Abbesses, or Priories.

VIII. *Stat.* 27 *H.* 8. 28. All Monasteries, Priories, and other Religious Houses of Monks, Canons and Nuns, which have not above the clear yearly value of 200 *l. per annum*, are given to the King and his Heirs, to have and hold the same in as large and ample manner as they enjoyed them; and all Grants thereof made or to be made by the King to others are confirmed: the Right of others having any profit out of the same being saved.

IX. Fraudulent Conveyances made by the Governor of such Houses, within one year next before the making of this Act shall be void: Howbeit all Leases upon the accustomed Rents, and Grants of the accustomed Offices, Fees, or Corodies, are saved.

X. All

X. All Ornaments, Jewels, Goods and Debts, which they had the firſt of *March* 1535. or at any time ſince, are alſo given to the King.

XI. The King ſhall have the actual and real poſſeſſion of the ſaid Houſes without Inquiſition of Office, ſo that he may lawfully grant them at his will and pleaſure.

XII. Cells which are only Obediencers to the Abbeys and Priories diſſolved by this Act ſhall ſtill remain undiſſolved notwithſtanding this Act: The right alſo of Founders, Patrons and Donors, is ſaved.

XIII. Stat. 27 *H.* 8. 27. *pars inde.* Upon the grant of Abbey Lands in Fee, a Tenure *in Capite* ſhall be reſerved to the King, and alſo a yearly payment of the tenth part of the yearly value, mentioned in the Letters Patents.

XIV. Stat. 31 *H.* 8. 13. The King and his Heirs ſhall have all the Monaſteries, Abbeys, Priories, Nunneries, Colledges, Hoſpitals, Houſes of Friers, and other Religious Houſes and Places, together with their Eſtates, which ſince the 4*th* of *Feb.* 27 *H.* 8. have been diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or by any other means are come into the Kings hands, in as large and ample manner as the Governors thereof held them in right of the ſaid Houſes.

XV. All Religious Houſes diſſolved, and to be diſſolved, together with the Revenues to them belonging, ſhall be in the actual poſſeſſion of the King.

XVI. Theſe Abbey-Lands (except ſuch of them as ſhall come to the King by Attainder of Treaſon) ſhall be within the Survey of the Court of Augmentations.

XVII. Here the right of all others is ſaved; ſave only for Rent-ſervice, Rentſeck, and all other Services and Suits which are excepted out of the ſaid ſaving.

XVIII. Provided that all Leaſes of any ſuch Religious or Eccleſiaſtical Houſe, or of any Hereditaments thereunto belonging, granted within one year next before the Diſſolution thereof, which have not heretofore uſually been demiſed, or whereof there was a former Leaſe in being, or whereupon ſuch ancient yearly Rent is not reſerved as hath been uſually paid for the ſame twenty years next before the beginning of this Parliament, and alſo Wood-ſales made within one year, as aforeſaid, ſhall be void.

XIX. Alſo all Feoffments, Fines and Recoveries of ſuch Lands (whereof the King was Founder) made, acknowledged or ſuffered by the Governours or Governeſſes thereof, without the Kings Licenſe, within one year next before ſuch Diſſolution, ſhall be void.

XX. The like proviſion is made for making void Leaſes and Wood-ſales of Lands belonging to ſuch Religious or Eccleſiaſtical Houſes as are hereafter to be diſſolved: Alſo all Feoffments, Fines and Recoveries of ſuch Lands (whereof the King is Founder) made,

acknowledged

acknowledged or ſuffered by the Governors or Governeſſes thereof, ſhall likewiſe be void.

XXI. Leaſes for years, not exceeding twenty one, made a year before this Parliament, or the diſſolution of ſuch House, and whereupon the accuſtomed Rent is reſerved, and where a former Term therein is not expired at the making of ſuch Leaſe, ſhall be good, notwithſtanding this Act: So alſo is a Leaſe for Life or Lives granted a year before diſſolution to the old Tenant, or the former Leaſe for Life or Years being not expired, and the accuſtomed Rent being reverſed.

XXII. Grants alſo for Life by Copy of Court-Roll, according to the Cuſtom, where the old Rent is reſerved, ſhall be good.

XXIII. Leaſes Inrolled, decreed or affirmed in the Court of Augmentations, (albeit they be made within the year) ſhall be good.

XXIV. Where any hath paid Money for Wood, and by this Act is abridged from having his Bargain, he ſhall be relieved therein by the Chancellor and other Officers of the ſaid Court, or any three of them, whereof the Chancellor to be one; and if any other hath taken the Wood, he ſhall make ſatisfaction for the ſame to the party grieved.

XXV. Grants to other perſons by ſuch Religious Perſons, with the Kings Conſent and Licence under the Great Seal, ſhall be good: howbeit here the Right of others is ſaved.

XXVI. A Confirmation of the Kings Exchanges and Purchaſes ſince the 4th of *February* 27 *H.* 8. Howbeit here alſo the right of all perſons but the Exchangees and Bargainees is ſaved, Rent-Service, Rent-ſeck, and other Services excepted.

XXVII. The Kings Letters Patents of Lands, and other Hereditaments granted ſince the 4th of *February* 27 *H.* 8. and within three years after the making of this Act, ſhall be ſufficient, notwithſtanding miſ-recital, non-recital, miſ-noſmer, cauſe, conſideration, or thing material to the contrary. Here alſo the Right of all others (ſave of the King, and the Governors and Governeſſes) is ſaved.

XXVIII. Such Lands, Parſonages appropriate, *&c.* belonging to the ſaid Religious Houſes, as before their coming into the Kings hands or diſſolution were diſcharged of Tythes, ſhall ſo continue.

XXIX. All Rents, Services and other Duties, ſaved to the King, notwithſtanding this Act.

XXX. Such Monaſteries, *&c.* as were heretofore exempt from the Juriſdiction of the Ordinary, ſhall from henceforth be within the Juriſdiction and Viſitation of the Ordinary in whoſe Dioceſs they ſhall be ſituate.

XXXI The Grant of the Abbey of *Shipton* in *Suffolk* is confirmed to the Duke of *Norfolk*, and the Colledge or Chantery of *Cobham* in *Kent* to the Lord *Cobham*, notwithſtanding this Act; the Right of others being ſaved.

XXXII. Stat.

XXXII. Stat. 37 *H.* 8. 4. All Colledges, Free Chappels, Chanteries, Hoſpitals, Fraternities, Brotherhoods, Guilds, and other Promotions made to have continuance for ever, and chargeable with Firſt-fruits and Tenths, and alſo all the Manſion-houſes, Mannors, Lands, Tenements, Hereditaments, Rights, Members and Appurtenances unto them belonging, which between the 4*th* of *February* 37 *H.* 8. and the 25*th* of *December* the 37 of *H.* 8. were diſſolved, relinquiſhed, or otherwiſe extinct, other than ſuch of them as now are or were in the Kings poſſeſſion, and have been granted by the Kings Licence, or recovered by a former Right or Title, ſhall be adjudged in the actual poſſeſſion of the King, and of his Heirs and Succeſſors, in as large manner as the Governors, Incumbents, Patrons, Donors, or Founders of them, or any of them, have ſince the ſaid fourth of *February* 27 *H.* 8. enjoyed the ſame, or do now enjoy them.

XXXIII. All Covenants, Bonds and Grants of any Rent or Annuity, made to any Chantery-Prieſt, or other having any of the ſaid Promotions, in conſideration of any Bargain, Grant, or other aſſurance of the ſaid Promotions, or any part thereof, ſhall be void.

XXXIV. Every perſon being in Life, which for any Sum of Money hath ſold any of the ſaid Promotions, ſhall repay (upon requeſt) unto the Bargainee, his Executors or Aſſigns, the Money ſo received: and for non-payment thereof, the ſaid Bargainee ſhall maintain an Action of Debt againſt them that ſo ſold the ſame unto the ſaid Bargainee or his Teſtator; in which Action no Eſſoin, *&c.* ſhall be allowed.

XXXV. All Gifts, Grants, Surrenders, and other Aſſurances made to the King of any of the ſaid Promotions between the ſaid fourth of *February* and the 25*th* of *December*, ſhall be good againſt the Bargainers, their Succeſſors and Aſſigns, and alſo againſt their Founders, Donors and Patrons, their Heirs and Succeſſors.

XXXVI. All Letters Patents made by the King of any of the ſaid Promotions, or any part thereof, and all Aſſurances thereof made with the Kings aſſent, by any having ſuch Promotions, ſhall be good againſt the Granters, their Heirs and Succeſſors, and againſt their Founders, Donors and Patrons, their Heirs and Succeſſors.

XXXVII. The King during his Life, may direct Commiſſions by Warrant to be ſigned by his own Hand to ſuch perſons as he ſhall think fit, giving them power to enter into ſo many of the ſaid Promotions, chargeable with Firſt-fruits and Tenths, as ſhall be expreſſed in ſuch ſeveral Commiſſions, and to ſeiſe and take the ſame into the Kings poſſeſſion, to have and to hold the ſame to him, his Heirs and Succeſſors.

XXXVIII. The Commiſſioners (or any two of them) may enter into any part in the Name of the whole; and by ſuch their Entry and Seiſure, albeit the Lands be in ſeveral Mens Occupation

tion, or lie in several Countries, the King shall be adjudged in the actual possession thereof, without any Inquisition, Office, or other Entry.

XXXIX. The Commissioners, or any two of them, after such Seisure made, shall certifie and return every such Commission, making mention in Writing of their doing therein according to the Words and Authority thereby given them.

XL. All such Chanteries and other Promotions aforesaid (seized and to be seized, as aforesaid) shall be within the Order and Survey of the Court of Augmentations; and all Suits tending to the detriment of the Mannors, Lands, and other Hereditaments belonging to them, shall be also heard and determined in that Court: Howbeit, Suits between Party and Party concerning the said Mannors, Lands, *&c.* shall be heard and determined by the Common Law and Statutes of this Realm, and not in the same Court.

XLI. All Assurances made of any Inheritance or Free-hold, without the Kings Assent by any Chantery-Priest, or other Governor having any of the said Promotions, being not made to the King, shall be void, as well against the King, as against the Successor of such Chantery Priest, or other Governor.

XLII. The Right of others is saved, other than the Governors, and their Founders, Patrons or Donors, their Heirs and Successors, and other than such persons, their Heirs, Successors and Assigns, as claim any Free-hold or Inheritance by Conveyance from any such Governor, without the Kings assent thereunto.

XLIII. If any such Governor within one year before the 23*d* of *November* in the 27 *H.* 8. hath made, or shall hereafter make, a Lease for Life or Years of any such Promotion, or any part thereof, which was not for the most part of twenty years before such Lease let to Farm, but in their own Occupation; or within the said time hath made, or shall hereafter make any such Lease in reversion, the old Lease not being then expired; or within the said time hath made, or shall hereafter make, any such Lease, without reserving the accustomed yearly Rent, paid for the same twenty years next before the said 23*d* of *November*; or have made any Wood sale, the Wood being yet standing: that then every such Lease and Grant shall be void.

XLIV. This Act shall not extend to any Lands, or other Hereditaments, whereof such Governors now are or hereafter shall be seized or possessed to their own use, not united or annexed to their Promotions; nor to Lands or Pensions granted or to be granted by the King unto such Governors (for Life only) under the Great Seal, or the Seal of Augmentations.

XLV. The Governors from whom the King (by force of this Act) taketh any Lands, *&c.* shall be proportionably abated for the same in their Tenths and First-fruits.

XLVI. Every person having an Annuity or Rent issuing out of any

any ſuch Promotion ſhall ſtill enjoy them, notwithſtanding this Act: Alſo he that hath bought and paid for any Wood ſhall have his Money again, or the ſame Wood.

XLVII. All payments for the Firſt-fruits happening after ſuch ſeizure as aforeſaid, are diſcharged.

XLVIII. All Rents, Services, Iſſues and Profits payable out of ſuch Promotions into the Exchequer, ſhall be ſtill continued, notwithſtanding this Act.

XLIX. Stat. 1 E. 6. 14. All Colledges, Free Chappels and Chanteries *in eſſe* within five years before the firſt day of this Parliament, which were not in the actual and real poſſeſſion of the late King, nor of *E.* 6. nor excepted in the ſaid Statute of 37 *H.* 8. 4. (other than ſuch as by the Kings Commiſſion ſhall be altered) and all Manners, Lands, Penſions, Hereditaments, and things belonging to them, and all Mannors, Lands, *&c.* given or limited for the finding of a Prieſt to have continuance for ever, and wherewith a Prieſt hath been maintained within the ſaid five years, (which were not in the actual poſſeſſion of *H.* 8. or *E.* 6.) and all Rents, Profits and Emoluments within the ſaid five years, imployed towards or for the maintenance of a Stipendary Prieſt, intended by any Act or Writing to have continuance for ever, ſhall be adjudged and be in actual and real poſſeſſion of the King, his Heirs and Succeſſors, without any Office or other Inquiſition, in as large manner as ſuch Prieſt, or other Governors or Incumbents thereof, at any time within the ſaid five years enjoyed the ſame.

L. All Mannors, Lands, *&c.* appointed for the maintenance of ſuch Prieſts, to have continuance for a term of years not expired, are alſo given to the King during ſuch term only, and no longer; and then it ſhall be lawful for the Reverſioner to enter without Livery, *Ouſter le main*, petition, or other ſuit to be made to the King for the ſame.

LI. The King ſhall alſo have all Lands, Tenements, Rents, and other Hereditaments, given for the maintenance of any Anniverſary or Obit, or other like intent, or of any Light or Lamp in any Church or Chappel, to have continuance for ever, which hath been ſo maintained within five years above limited.

LII. Where an Anniverſary, Obit, Light, Lamp or other like, is kept or maintained out of part of the Iſſues of any Lands, *&c.* the King ſhall have ſo much yearly Rent iſſuing out of the ſame Lands, as ſuch Charge ſhall amount unto in any one year, within the ſaid five years, to be paid yearly by even portions, at *Michaelmas* and *Lady-day*, into the Court of Augmentations, or ſuch other Court as the King ſhall appoint; and upon Non-payment thereof, it ſhall be lawful for the King, his Heirs and Succeſſors, to diſtrain for the ſame; and if there be no diſtreſs to be had, and the Rent be unpaid by the ſpace of a month, after it ſhould be paid, in ſuch caſe the King ſhall ſeize part of the

Lands

Lands of like value to answer the Rent, to have and hold them to him, his Heirs and Assigns, for so long time as he so was to have the Issue out of the said Lands.

LIII. The King, his Heirs and Successors, shall have all Sums of Money, Profits, Commodities and Emoluments, appointed to have continuance for ever, which in any one year within the said years have been imployed by any Corporation, Guild, Fraternity, Company or Fellowship of any Mystery or Craft, or by any Governor or Governors, towards the maintenance of any Priest, Anniversary, Obit, Lamp, Light, or the like, to be paid yearly as a Rent-charge at *Michaelmas* and *Lady-day*, by even portions, in the said Court of Augmentations, or in any other Court that the King shall appoint.

LIV. The King hath power to distrain the said Corporations, Guilds, *&c.* for the said Money, which shall be in the actual possession of the King, without any Inquisition or Office.

LV. The King shall have to him, his Heirs and Successors, all Fraternities, Brotherhoods and Guilds, and all their Lands, *&c.* other than those above mentioned, and they shall be also in the actual possession of the King, without any Inquisition or Office.

LVI. The King may direct Commissions to such persons as he shall think fit, which Commissioners or any two of them, shall have power to survey all Lay-Corporations, Guilds, Fraternities, Companies and Fellowships of Mysteries or Crafts Incorporate, and all other Fraternities, Brotherhoods and Guilds, within the limits of their Commission, and also all Evidences, Compositions, Books of Accompts, and other Writings, thereby the better to discover what Money or other things were paid for the finding of a Priest, Anniversary, *&c.* and likewise to inquire what Mannors, Lands, Tenements, Rents, and other Hereditaments, are given to the King by force of this Act.

LVII. The Commissioners, or any two of them have power, where Guilds, Fraternities, or Chantery-Priests having been *in esse* in *Michaelmas* last to the first day of this Parliament, ought by their Foundation to have kept a Grammar-School or Preacher, to assign Lands to continue in succession of a School-master or Preacher for ever, towards the keeping of a School and Preaching, and for such other good purpose as to them shall seem meet. And likewise to make a Vicar to have perpetuity for ever in every Parish, being the first day of this Parliament, a Colledge, Free Chappel or Chantery, or united unto any of them, and also to endow such Vicar sufficiently, without any Licence or Grant from the King, Bishop, or other Officers of the Dioceſs.

LVIII. These also have power (in great Towns, where more Priests are necessary) to assign such Lands for the maintenance of one or more Priests there as they shall think fit: and also to give Rules for the service, use and demeanour of such Priests and School-Masters as aforesaid; and to set down by what Name or Names they shall thenceforth be called.

LIX. The

LIX. The Commissioners shall also assign such yearly Pensions to every Governor, Fellow and Servant of every such Colledge, Free Chappel or Chantery, to continue during their several lives, as to them shall seem fit.

LX. The Commissioners shall enquire what Money or other Profit any poor person enjoyed within five years before this Parliament, and give order for the payment thereof, and assign Lands for that purpose, that it may have continuance for ever: and also shall appoint Lands to Fraternities, Brotherhoods and Guilds for the maintenance of Peers, Jutties, Walls and Banks.

LXI. The Receivers of the respective Counties where such Pensions are allowed by the Commissioners shall readily pay them without Fee, and shall be allowed theirs upon their Accompt.

LXII. The Commissioners shall make Oath that they shall beneficially execute their Commissions towards the Deans, Masters, Wardens, Provosts, and other Incumbents aforesaid, as also towards the Poor, and the maintenance of Peers, Jutties, *&c.* And all orders by them, or any two of them, certified into the Court for Augmentations, or other Court to be assigned by the King, shall be as effectual as if they had been ordained by the Parliament.

LXIII. Howbeit they shall not allow more to any Dean, Master, *&c.* than they enjoyed before; and when he is promoted to better means, it shall cease.

LXIV. The Commissioners, or two of them at least, shall within one year after the Commission to them directed, make certificate of such Assignments as they have made, on pain of one hundred pound.

LXV. The King shall have all the Goods of every Colledge, Chantery, Free Chappel, Chantery or stipendary Priest, belonging to the Furniture or Services of their several Foundations, and superstitiously abused: Howbeit their Debts shall be paid by the King.

LXVI. This Act shall not extend to any Colledge or Hall in the Universities, the Free Chappel at *Windsor*, the Colledges of *Wincheſter* and *Eaton*, *Newton* Chappel in the Isle of *Ely*, nor to any of the Lands belonging to them, nor to any Chappel of Ease, nor to any Chappel whereunto only a Churchyard, a little House or Close doth belong, nor to any Cathedral where there is a Bishops See, nor to their Lands; other than such Chanteries, Obits, Lights and Lamps, used within such Cathedrals within five years before this Parliament, and unto which this Act doth extend.

LXVII. The King may during his life, alter the Names of such Chanteries and their Foundations.

LXVIII. The Right of all persons (except only the Governors, Incumbents, *&c.* of such Chanteries, *&c.* their Founders, and

and the Heirs and Successors of every of them, also the Grantees of any the Premisses to the uses aforesaid, or to the use of any such Chantery, &c. without the Kings Licence) is saved. Likewise all Services, Rents, Annuities, Profits and Offices of right due to the Founders, Donors, &c. and Leases made before the beginning of this Parliament, whereupon the accustomed Rent is reserved, or saved.

LXIX. The Bargainor of any of the Premisses, or his Executors, shall repay unto the Bargainee, his Executors or Administrators, the Money received upon sale thereof, within three months after request thereof made; and upon non-payment thereof such Bargainee shall recover it by Action of Debt, wherein no Essoin, &c. shall be allowed.

LXX. The Premisses given to the King by this Act, together with their Revenues shall be within the survey of the Court of Augmentations, or such other Court as the King shall appoint.

LXXI. All Leases made by the said Governors, Incumbents, &c. since the 23d of *November* 37 *H.* 8. whereupon the old Rents are reserved, shall be void, but all others shall continue in force.

LXXII. This Act shall not extend to any Lands whereof such Governors, Incumbents, &c. are seized or possessed to their own uses, and not enacted to such Chanteries, Free Chappels, &c. nor to any Mannors, Lands, Pensions, &c. not parcel of the Premisses granted by *H.* 8. or granted, or to be granted by *E.* 6. to any of the said Governors, Incumbents, &c.

LXXIII. Every person which had any Rent or yearly profit out of the Lands of any Chantery, &c. shall still enjoy them, notwithstanding this Act.

LXXIV. All payments of First-fruits to be made by any such Governor, Incumbent, &c. after the beginning of this Parliament shall be remitted.

LXXV. Payments answered yearly into the Exchequer out of the Premisses shall be still continued.

LXXVI. All Assurances made of the Premisses by *H.* 8. or *E.* 6. or by either of their Licences, or to either of them by any such Governor, Incumbent, &c. shall be good; the right of others being saved.

LXXVII. This Act shall not extend to make good any Grant made by any Parson or Vicar; nor to prejudice the Lord *Cobham*, or any Corporation, or the Chantery of *Attleborough* in *Norfolk*.

LXXVIII. All such Chanteries, Free Chappels, &c. given to the King by this Act as are within the Duchy of *Lancaster*, (together with their Lands, &c.) shall be within the survey of the Duchy-Court; and all Commissions to be issued out concerning them, shall be under the Great Seal, but shall be certified into the said Duchy.

LXXIX. The

LXXIX. The King may impower Commissioners to alter the nature and condition of Obits to better uses; and none shall take advantage of any Remainder, Use or Condition, for not finding of a Priests Obits, Anniversary, Light or Lamp.

LXXX. This Act shall not extend to give Copyhold Lands to the King, but the said Incumbents shall have them during their Lives towards their maintenance.

LXXXI. This Act shall not extend to Lands recovered from a Chantry-Priest by a good Title without fraud.

LXXXII. All Letters Patents made by *H.* 8. and *E.* 6. of Chantry-Lands and other Premises are confirmed.

LXXXIII. Stat. 1 & 2 *P. M.* 8. *pars inde.* None shall molest any person for any Abbey-Lands, in pain to incur a *Præmunire*, *Vide* 1 *El.* 1.

☞ Mony.

* I. The Statute of Great Mony, *incerti temporis.* None upon grievous forfeiture shall expend, utter or receive any Mony or any other Coin than *English*, *Scotch*, or *Irish*, nor import more Mony into this Realm than may serve him for his Expences, nor Land (unless forced by Tempest) at any other than the known Ports, and there shall shew his Money to such person as the King shall assign, without concealment, in pain to forfeit his Body and Monies.

II. None shall hide his Mony within Cloaths, Fardels, Bales, or otherwise, in pain that the Finder thereof shall have 4 *d.* for every pound so found, and the King the rest. And the Body of him in whose hands any false or clipt Money shall be found shall be arrested, until he find Surety, if he be a suspicious Man. Also he that finds any other Coin than *English*, *Irish*, or *Scotch*, shall break the same, and restore the pieces to the party that owns it, and none shall oppose him, in pain of great Forfeiture: but false Mony shall be pierced without restoring it.

III. Because poor people cannot well discover light Monies, they shall receive and pay them by weight of five of even weight by the Tumbrel, to be delivered unto them by the Warden of the Exchange, and marked by the Kings Mark: And it shall be lawful for any Man to pierce Mony not weighing the Tumbrel. Howbeit 4 *d.* shall be allowed in every pound weight, (*being then* 20 *s.* and so it be only worn 6 *d.*

* IV. The Statute of Small Mony, 20 *E.* 1. No Merchant or other shall import into this Realm any Mony clipt or counterfeited, or Traffick therewith, in pain for the first time to forfeit the Mony; for the second, the Mony and all his Goods; for the third, his Body and Goods.

V. Others which have clipt Mony shall pierce it, and carry it to the Kings Exchange to be new coined.

* VI. Stat. 9 E. 3. 1. None (without the Kings Licence) ſhall export any Gold or Silver in Mony or Plate, in pain to forfeit the ſame.

* VII. *Cap.* 2. None ſhall import into any of the Kings Dominions any falſe or counterfeit Mony, in pain to forfeit the ſame: Howbeit, any perſon (Stranger and other) may bring to the Kings Exchange good Money or Bullion, and receive convenient exchanges for the ſame.

* VIII. *Cap.* 3. Small Money *(viz.* Half-pence or Farthings) ſhall not be molten into Veſſel or any thing elſe by any Goldſmith, in pain to forfeit the Mony ſo molten, and to ſuffer Impriſonment until he hath paid the one half thereof.

IX. *Cap.* 4. Black Mony ſhall not be current in this Realm.

X. *Cap.* 5. The Proſecutor againſt the Offenders of this Statute ſhall be allowed a fourth part of the Forfeiture.

XI. *Cap.* 6. There ſhall be no defrauding of this Statute.

XII. *Cap.* 9. Search ſhall be made for Money exported, and falſe Mony imported.

XIII. *Cap.* 10. The Searchers ſhall have the fourth part of the Forfeiture.

XIV. *Cap.* 11. Hoſtlers *(viz. Inn-keepers and Victuallers)* ſhall be ſworn to ſearch their Gueſts.

XV. Stat. 18 E. 3. *Stat.* 2. 6. Mony ſhall be made, and Exchanges ordained where the King ſhall pleaſe.

XVI. Stat. 25 *Ed.* 3. *Stat.* 5. 13. Money ſhall not be impaired by Weight or Allay.

XVII. Stat. 25 E. 3. *Stat.* 5. 20. Plate of Gold and Silver ſhall be received into the Kings Mint by weight, and not by number; and ſo alſo ſhall the Money be returned.

XVIII. Stat. 38 E. 3. *Stat.* 1, 2. None ſhall export Gold or Silver in Mony or Plate but Victuallers of Fiſh, who fiſh for Herring or other Fiſh, and ſuch as import Fiſh in ſmall Veſſels, who meddle not with other Merchandiſe; but not otherwiſe than as the Chancellor ſhall think fit.

XIX. Stat. 5 *R.* 2. 2. None ſhall export Gold or Silver. But Quære *whether this Statute be not repealed by* 4 Jac. 1.

XX. Stat. 17 *R.* 2. 1. The Statute of 9 *E.* 3. *Cap.* 3. ſhall be duly executed, and none ſhall melt Groats or half Groats into Veſſels, upon the pain contained in that Statute.

XXI. Foreign Coin ſhall not be current in *England*, but ſhall be brought to the Bullion, there to be molten into the Coin of *England*, in pain of forfeiture thereof and impriſonment: neither ſhall there be any Exchange of *Engliſh* Mony for *Scotch* Mony, upon the like pain.

XXII. Stat. 2 *H.* 4, 5. If the Kings Searchers find any Mony or Plate in the cuſtody of any ready to paſs beyond Sea, or in any Ship which is to go beyond Sea, it ſhall be forfeited to the King, ſave the parties reaſonable expences, which he ſhall alſo loſe, unleſs he preſently confeſs the Truth.

XXIII. Pro-

XXIII. Provided that Merchant-ſtrangers ſhall ſell their Merchandiſe in *England*, and do imploy half their Money received for the ſame upon other Merchandiſe of *England*, may by the Kings Licence export the other half thereof without prejudice.

XXIV. Stat. 4 *H.* 4. 10. A third part of all Silver-money which ſhall be brought to the Bullion, ſhall be coined into Half-pence and Farthings, of each alike, and the Coiner ſhall make Oath ſo to do.

XXV. No Goldſmith ſhall melt Half-pence or Farthings, in pain to forfeit four times ſo much as he ſo melts.

XXVI. Stat. 11 *H.* 4, 5. Gally-half-pence ſhall not be current in *England*, and all Statutes formerly made concerning Mony are confirmed.

XXVII. Stat. 13 *H.* 4. 6. The Statute of 11 *H.* 4, 5. and all other Statutes formerly made concerning Mony, ſhall be duly put in execution.

XXVIII. Stat. 3 *H.* 5. *Stat.* 1. It ſhall be Felony to utter *Scotch* Mony in Payments. *But this Statute is now obſolete and out of uſe.*

XXIX. Stat. 3 H. 5. 6. It ſhall be Treaſon to clip, waſh or file Mony. *Howbeit this Statute is repealed by* 1 Edw. 6. 12. *and* 1 M. *Seſſ.* 1. *But the ſame again made Treaſon by* 5 El. 12. *which ſee in* Treaſon.

☞ XXX. Stat. 3 H. 5. 7. Juſtices of Aſſize and of Peace have power to hear and determine of Offences concerning falſe Mony.

XXXI. Stat. 9 H. 5. 11. No *Engliſh* Gold ſhall be received in payment but by the Kings weight.

XXXII Stat. 1 *H.* 6. 1. The Kings Council may aſſign Mony to be Coyned, and Exchanges to be holden, in as many places as they pleaſe.

XXXIII. Sta. 2 *H.* 6. 6. No Gold or Silver ſhall be exported, in pain to forfeit the value thereof; ſave only for the Ranſom of Priſoners, the reaſonable Coſts of Souldiers paſſing beyond Sea, and Mony to be expended for certain *Scotch* Commodities, ſo as they be done by the Kings Licenſe.

XXXIV. Merchant-aliens ſhall find Suretles in the Chancery, every Company for them of their Company, that none of them ſhall export any Gold or Silver, in pain to forfeit the ſame, or the value thereof, whereof the Diſcoverer (unto the Treaſurer or Kings Council) ſhall have a fourth part.

XXXV. Stat. 2 *H* 6. 9. The Mony called *Blancs* is wholly prohibited.

XXXVI. Stat. 2 *H.* 6. 12. The Mint-maſter ſhall keep his Allay in the making of white Mony according to his Indenture, and ſhall receive Silver brought to the Mint at the true value it is worth according to the ſame Allay, in pain to pay to the party his double Damages.

XXXVII. The Kings Aſſayer (who ought to be a perſon indifferent betwixt the Mint-Maſter and the Merchant) and the Controller of the Mint ſhall be preſent when any Bullion is brought to the Mint, to the end the Aſſayer may ſet the true value thereof, in caſe any variance happen betwixt the Maſter and the Merchant.

XXXVIII. The Controllers Office is, every two days faithfully to try all Silver brought in or carried out of the Mint, and that without Fee, (ſave what he receives of the King) in pain of double Damages: And he ought to be a credible man, and expert in the Miſtery of Goldſmiths and of the Mint.

XXXIX. The Mint-Maſter and Exchanger ſhall convert into Coin all Gold and Silver brought to the Mint or to the Exchange, according to the form of the ſaid Indenture, upon the pain therein contained.

XL. Stat. 19 *H.* 7. 5. All Coins of Gold and Silver current in this Realm ſhall ſo continue at the value they were coined for, albeit ſome of them be cracked, ſo as they be not clipped or otherwiſe diminiſhed, reaſonable wearing excepted.

☞ XLI. If any refuſe any lawful Coin in payment, he ſhall be compelled by the Officer of the place to receive it, and alſo impriſoned, or otherwiſe puniſhed, as ſuch Officer ſhall think fit: And if any Sheriff or other Officer refuſe it, he ſhall be compelled to take it by a Juſtice of Peace, and be otherwiſe puniſhable at the diſcretion of ſuch Juſtice.

XLII. It ſhall be lawful for the owner of mony clipped, or otherwiſe impaired, to exchange it at the Mint, or to convert it into Plate or Bullion, or otherwiſe to diſpoſe thereof for his beſt profit.

XLIII. To avoid clipping of Silver Coins hereafter, the King appointeth new ones to be made with a Circle about the outermoſt part thereof: And for Gold Coins, that they ſhould have the intire Scripture ſtamped without lacking any part thereof; to the end that by the King or Scripture it may be diſcerned when they are clipt, or any way diminiſhed: and the Warden and Controller of the Mint are to ſee them thus ordered before they paſs from the Mint, in pain to forfeit their Offices, and to be fined at the Kings Will.

XLIV. None ſhall tranſport any Mony, Plate, or Bullion, (above 6 *s.* 8 *d.*) into *Ireland*, nor convey any of them into any Ship or other Veſſel, in pain to forfeit them, and to be impriſoned and ranſomed at the Kings Will.

XLV. It ſhall be lawful for any to ſeize any *Iriſh* Coin (above 3 *s.* 4 *d.*) brought into this Realm, and to deliver it in at the Mint, for which the Maſter ſhall preſently pay him half the value thereof to his own uſe.

XLVI. Stat. 14 & 15 *H.* 8. 12. The Coiners of every hundred pounds-worth of Gold brought to the Mint to be coined ſhall make 20 *l.* thereof in half Angels, (*then called pieces of* 4 d.) and of every

every hundred pounds-worth of Silver, 50 *l.* in Groats, 20 *l.* in Two-pences, 20 *l.* in Pence, 10 *Marks* in Half-pence, and 5 *Marks* in Farthings; in pain that the Mint-Maſter ſhall forfeit 10 *l.* to be divided betwixt the King and the Proſecutor.

XLVII. The Half-pence and Farthings ſhall have ſeveral Stamps to the end they may be the better diſtinguiſhed by the common people.

XLVIII. When the value of the Plate or Bullion is under 100 *l.* the Owner thereof ſhall receive a tenth part in Half-pence and Farthings.

XLIX. This Act ſhall not be prejudicial to the Coiners and Mint-Maſters in *York*, *Dureſm*, or *Canterbury*.

L. **Stat.** 14 *El.* 3. If any ſhall falſely forge or counterfeit any Coin of Gold or Silver not current in this Realm, he and his Procurers, Aiders and Abettors, (after conviction) ſhall be impriſoned, and forfeit their Lands and Goods, as in caſe of miſpriſion of Treaſon.

LI. **Stat.** 13 & 14 *Car.* 2. *cap.* 31. None ſhall melt the Silver Mony of this Realm on pain to forfeit it, and double the value, one half to the King, the other to the Informer: the Offenders, if Freemen, or priviledged Perſons of Cities or Corporations, ſhall be disfranchiſed and made uncapable of exerciſing any Trade by vertue of the Priviledge of the ſaid City or Corporation; if not, they ſhall be impriſoned ſix months.

LII. **Stat.** 18 *Car.* 2. *cap.* 5. Whoſoever ſhall bring any Gold or Silver to the Mint ſhall receive the ſame Weight in Coin, or ſo much more or leſs as the ſame ſhall be finer or courſer than Crown Gold or Standard Silver.

LIII. All Gold and Silver delivered into the Mint ſhall be aſſayed, coined and delivered out according to the Order and time of bringing it in: and if any undue preference be made by the Officers of the Mint, they ſhall be liable by Action of Debt, or on the caſe, to pay the value of the Gold or Silver brought in and not entred and delivered according to this Act with damages and coſts to the party grieved, and be forejudged their place; and if by their Deputies and Clerks without their privity, then ſuch Deputies and Clerks only ſhall be liable as aforeſaid, and uncapable of ſerving or bearing any Office in the Mint.

LIV. But Monies may be delivered out to thoſe that demand the ſame upon ſubſequent Entries, before others that demand not theirs in courſe: ſo as there be ſo much left as will ſatisfie them.

LV. The Maſter-worker of the Mint ſhall give to the bringers in of Gold and Silver, a Bill under his Hand of the Weight, fineneſs and value thereof, with the Day and Order of its delivery into the Mint.

LVI. No Confiſcation, Seiſure, Attachment, Stop or Reſtraint ſhall be made of any Gold or Silver brought in to be coined upon any pretence whatſoever.

LVII. And whereas it cannot be expected that the Expence of Coinage ſhould be born by the King, there ſhall be paid to the Officers of the Cuſtoms for every Tun of Wines, Vinegar, Sider, or Beer imported, beſides other Duties, 10 *s.* and for every Tun of Brandy-wines or Strong-waters, 20 *s.* and ſo proportionably for a greater or leſſer quantity, which ſhall be kept apart and paid quarterly into the Exchequer, there alſo to be kept diſtinct and paid out according to the direction of this Act without Fee.

LVIII. In caſe of Non-payment, the ſaid Liquors ſhall be liable to ſuch Penalties, as are appointed by the Acts for Tunnage and Poundage, and for Frauds.

LIX. For what of the ſaid Commodities ſhall be tranſported within a year after Importation, the Duty paid by this Act ſhall be repaid.

LX. No Monies payable by this Act ſhall be applied to any other uſe than defraying the Charge of the Mint, nor iſſued out of the Exchequer but by Warrant of the Lord Treaſurer and Under-Treaſurer or Commiſſioners of the Treaſury, to the Maſters and Workmen in the Mints, mentioning that they are for the Services aforeſaid.

LXI. There ſhall not be iſſued in one year for Fees of Officers of the Mint and all neceſſaries for Coining above Three Thouſand Pound, the reſt ſhall be imploied towards the coſt and charge of Aſſaying, melting down, and buying in Gold and Silver to Coin.

LXII. This Act ſhall continue to the 20*th* of *December* 1671. and to the end of the firſt Seſſions of Parliament, next after.

LXIII. Stat. 25 *Car.* 2. *cap.* 8. Continued for ſeven years from the end of this Seſſion, and to the end of the firſt Seſſion of Parliament then next enſuing.

LXIV. The Monies collected by vertue of this Act ſhall be paid to ſuch Officers as receive the Cuſtoms, and by them to the Receiver-General of the Cuſtoms, whoſe Acquittance ſhall be to them a Diſcharge, and a Certificate by them obtained from the Controller-General of the Accounts of the Cuſtoms, with allowance of the Commiſſioners of the Cuſtoms, or three of them, ſhall free them from all Accounts for the ſame.

LXV. If the Cuſtoms be farmed, the ſaid Monies ſhall be paid in the reſpective Ports, to ſuch as the Lord Treaſurer or Commiſſioners of the Treaſury ſhall appoint, whoſe Acquittance ſhall be a Diſcharge, and a Certificate from ſuch perſons ſhall free them from all Accounts.

LXVI. The ſaid Monies ſhall be levied at the importation of the Commodities charged, under the ſame Penalties as for Non-payment or defrauding the King of his Cuſtoms upon the ſaid Commodities.

LXVII. The ſaid Monies ſhall be kept apart and paid monthly at leaſt from the Officers of the Port of *London*, and quarterly from thoſe of the Out-Ports to the Receiver-General of the Cuſtoms;

ſtoms; and when there is none, to ſuch other as ſhall be apointed to receive the ſame: by them likewiſe to be kept diſtinct, and be paid once a Month into the Exchequer: there alſo to be kept apart.

LXVIII. The Lord Treaſurer or Commiſſioners of the Treaſury may allow out of the ſaid Monies ſuch Salaries as they think meet to the ſaid Officers, ſo as they exceed not 12 *d.* in the pound of the Mony ſo collected.

LXIX. Stat. 1 *Jac.* 2. *cap.* 7. The two laſt mentioned Acts revived and continued for ſeven years from the 1ſt of *Auguſt* 1685. and to the end of the firſt Seſſion of Parliament then next following.

Monopolies.

I. Stat. 21 *Jac.* 1. *c.* 3. All Monopolies and all Commiſſions of or for the ſole buying, ſelling, making, working or uſing of any thing within the Kings Dominions, or any other Monopolies, or of Power, Liberty or Faculty to diſpence with any others, or to give Licenſe or Toleration to do, uſe or exerciſe any thing againſt the Tenor of any Law or Statute, or to give or make any Warrant for ſuch Diſpenſation, Licenſe or Toleration, or to agree or compound for any Penalty or Forfeiture limited by any Statute, or for any Grant or Promiſe of any Benefit or Profit of any ſuch Penalty, Forfeiture, or Sum of Mony, before Judgment thereupon had; and all Proclamations, Inhibitions, Reſtraints, Warrants of Aſſiſtances, and other matters and things whatſoever any way tending to the erecting, ſtrengthening or countenancing thereof, are contrary to the Laws of the Realm, and ſhall be vold and of none effect.

II. All the matters and things aforeſaid ſhall be examined, heard, tried and determined by the Common Laws of the Realm, and not otherwiſe: And all perſons are prohibited to uſe, exerciſe or put them in ure.

III. The party grieved by pretext of any of the matters or things aforeſaid ſhall recover (in one of the Courts at *Weſtminſter*) treble Damages and double Coſts; in which ſuit no Eſſoin or other delay ſhall be allowed, nor any more than one Imparlance; And if any perſon, after notice given that ſuch Action depending is grounded upon this Statute, ſhall cauſe it to be ſtayed or delayed before Judgment by any Order, Warrant, Power or Authority, (ſave only of the Court where it is depending) or ſhall, after Judgment had, cauſe or procure the Execution thereof to be ſtaid or delayed by colour or means of any ſuch Order, Warrant, Power or Authority, ſave only by Writ of Error or Attaint, he or they ſo offending ſhall incur a *Præmunire*.

IV. Letters Patents of new Manufactures heretofore granted for twenty one years or under to the Inventers thereof, where they

are not contrary to Law, or any way prejudicial to the Common-wealth, are saved; so also are such as have been heretofore granted for more than twenty one years, good for twenty one years from the date of their Patent, notwithstanding this Statute.

V. Neither shall this Act extend to Grants of new Manufactures hereafter to be made to the Inventers thereof for fourteen years or under, being not contrary to Law, or prejudicial to the Common-wealth; nor to Grants heretofore confirmed by Act of Parliament, so long as such Acts continue in force; nor to any Warrant of Privy Seal granted or to be granted to the Justices of the Kings-Bench or Common-Pleas, to the Barons of the Exchequer, Justices of Assize, of *Oyer* and *Terminer*, Goal-delivery or Peace, or other Justices, to compound for the Forfeitures of any Penal Statute depending in suit before them, after Plea pleaded by the party Defendant.

VI. This Act shall not be prejudicial to *London*, or any other Corporation, for any Grant made them concerning their Customs; nor any Corporation, Company, or Fellowship of any Art, Trade or Mistery, nor to any Company or Society of Merchants.

VII. Neither shall it extend to any Grant of Privilledge for Printing, digging or making or compounding of Salt-Peter or Gun-Powder, or casting or making of Ordnance, or Shot for Ordnance; nor to any Grant of any Office now in being, other than such as are decreed by the Kings Proclamation; nor to the Liberties of *Newcastle* concerning Sea-coals; nor to licensing of Taverns, so the King receive the Benefit; nor to the Patent granted to Sir *Robert Mansfield* for making of Glass; nor to that granted to *James Maxwel* Esquire for Transportation of Calves-skins; nor to that of *Abraham Baker* for making of Salt; nor to that of *Edward* Lord *Dudley* for melting of Iron Ewer, and making the same into Cast-works.

Mortdancestor.

I. Marlbridge 16. 52 *H.* 3. If the Lord will not render unto the Heir his Land (when he comes to age) without Plea, the Heir shall recover his Land by Assize of *Mortdancestor*, together with all his Damages.

II. If the Heir at his Ancestors death be at full age, and then seised of the Inheritance, the Lord shall not out him, nor meddle with any thing there, but shall only take simple Seisin thereof, that he may be known to be Lord: and if the Lord shall then put him out, whereby he is driven to his Writ of *Mortdancestor* or Cosinage, he shall recover his Damages as in a Writ of *Novel desseisin*.

III. The King shall have *Primer Seisin* of Lands holden in chief, as in times past: neither shall the Heir or any other intrude into the Inheritance before he have received it out of the Kings Hands, as formerly hath been used.

IV. This

IV. This Statute is to be underſtood of Lands accuſtomed to be in the Kings hands by reaſon of Knight-ſervice, Serjeancy, or right of Patronage.

V. **Statute of Glouceſter**, 6. 6 E. 1. If one die having many Heirs, of whom one is Son or Daughter, Brother or Siſter, Nephew or Niece, and the other be a farther degree off, the Heir ſhall recover by a Writ of *Mortdanceſter*.

☞ Mortmain.

I. **Magna Charta**, 36. 9 H. 3. If any ſhall give Lands to a Religious Houſe, the Grant ſhall be void, and the Land forfeit to the Lord of the Fee.

II. **Statute of Glouceſter**, *alias de Religioſis*, 7 E. 1. If Lands be any way alienated in *Mortmain* to a Religious perſon or other, the King or other Lord immediate may enter within a year after ſuch alienation; and if ſuch Lord neglect it, the next Lord to him may enter within half a year after; and if all the mean Lords (being of full age within the four Seas, and out of Priſon) neglect to do it, after the year the King may enter.

III. **Weſt.** 2. 32. 13 *Ed.* 1. Eccleſiaſtical Perſons, being debarred by the former Statutes to obtain Lands in *Mortmain* by alienation, endeavoured fraudulently to obtain them by default in a Suit: and therefore in ſuch caſe it was ordained by this Statute, that it ſhould be Inquired by the Country whether or no the Demandant had a juſt title thereto, and if ſo, then he ſhould recover ſeiſin, but if otherwiſe, the Lord of the Fee ſhould enter, as aforeſaid. And by this Statute each mean Lord hath a full half year given him after the Lord next before him, until it come to the King. And here alſo the Lords, as alſo the King, are allowed their Challenges.

IV. After the Judgment given, the Land ſhall remain clear in the Kings Hand, until it be deraigned by the Demandant, or ſome other Chief Lord, and the Sheriff ſhall be charged to anſwer for it in the Exchequer.

V. **Ordinatio de perquirendis libertatibus**, 27 E. 1. To obtain Licence to make a Park, or to amortize Lands, the Writ *Ad quod damnum* ſhall iſſue out of the Chancery to inquire concerning the ſame.

VI. Here Inquiſitions of Lands that ſhall be found (by extent) to be worth yearly more than 28 *s.* ſhall be returned into the Exchequer, and there the Parties ſhall make Fine for the Amortizements and for the Park, if the Inquiſition paſs for them; and afterwards the Chancellor (or his Deputy) ſhall have order to do his Duty therein.

VII. When the yearly value of the Lands exceeds not 20 *s.* the Inquiſition ſhall be returned to the Chancellor, and he (or his Deputy) ſhall rate and take the Fine according to the quantity of the Land.

VIII. The

VIII. The like ſhall be done by ſuch as purchaſe Lands holden of the King in Chief.

IX. If perſons dwelling beyond Sea, and having Lands or Rents in *England*, are deſirous to purchaſe Letters of Protection, or would make General Attornies, they ſhall be firſt ſent to the Exchequer to make their Fines, and from thence to the Chancellor (or his Deputy) for that which he ought to do therein.

X. In like manner ſhall they do that will purchaſe any Fair, Market, Warren or any other Liberty. All ſuch as will purchaſe Inſtalment of their Debts ſhall be ſent into the Exchequer.

XI. Alſo ſuch as are unable to travel, or dwell in remote parts from the Chancery, which plead or be impleaded, ſhall have a Writ out of the Chancery to ſome ſufficient man that ſhall receive their Attornies, when need is.

XII. For the better remembrance of theſe things, there ſhall be a tripartite Indenture made; whereof one ſhall remain in the Chancery, another in the Exchequer, and the third in the Gardrobe.

XIII. **Statute of Amortizing Lands.** 34 *E.* 1. Lands ſhall not be alienated in Mortmain where there be mean Lords, without their conſent declared under their Seals: Neither ſhall any thing paſs where the Donor reſerveth nothing to himſelf, or when the Inquiſition is made and returned without Warrant, *viz.* without the Writ Original returned with the Inquiſition; and unleſs the Original make mention of every thing according to the new Ordinance deviſed by the King.

XIV. **Statute of Writs** for making Inquiſition of Lands to be put to Mortmain, *incerti temporis.* Writs *ad quod dampnum* for amortizing Lands ſhall not be granted, but upon petition in full Parliament.

XV. **Stat.** *De Clero*, 3. 18 *E.* 3. If Prelates, Clerks beneficed, or other people of Religion, being impeached for purchaſing Lands in Mortmain, ſhew the Kings Charter of Licence, and Proceſs thereupon made by an Inqueſt of *Ad quod dampnum*, or of the Kings Grace, or by Fine, they ſhall be in peace: And albeit they cannot ſufficiently ſhew that they have entred by due Proceſs after Licenſe to them granted in general or ſpecial, yet they ſhall be well received to make a convenient Fine for the ſame.

XVI. **Stat.** 15 *R.* 2. 5. It is within the compaſs of the Statute of 7 *E.* 1. to convert any Land into a Church-yard, albeit it be done by the conſent or connivance of the Ter-tenant and confirmed by the Popes Bull.

XVII. If any be ſeiſed of any Lands or other Poſſeſſions to the uſe of any Spiritual Perſon with purpoſe to Amortize them, and whereof ſuch Spiritual Perſon takes the Profits, they ſhall before the Feaſt of St. *Michael* next cauſe them to be amortized by the Licenſe of the King and other Lords, or diſpoſe of them to ſome other uſe; otherwiſe they ſhall be forfeit according to the Form

of

of the ſaid Statute, as Lands purchaſed by people of Religion: And no ſuch Purchaſe to the uſe of ſuch Spiritual Perſons ſhall be hereafter made, upon the like pain.

XVIII. The ſame Law ſhall likewiſe be of Lands or other Poſſeſſions purchaſed to the uſe of Guilds and Fraternities: Alſo Lands purchaſed by Corporations, or to their uſe, ſhall be within the compaſs of the ſaid Statute *de Religioſis.*

XIX. **Stat.** 23 *H.* 8. 10. If any Grant of Lands or other Hereditaments ſhall be made in truſt to the uſe of any Churches, Chappels, Church-Wardens, Guilds, Fraternities, Commonalties, Companies or Brotherhoods, to have perpetual Obits, or a continual ſervice of a Prieſt for ever, or for ſixty or eighty years, or to ſuch like uſes or intents; all ſuch uſes, intents and purpoſes ſhall be void, they being no Corporations, but erected either of Devotion, or elſe by common conſent of the People.

XX. Such uſes and intents may be made and declared to continue twenty years from the time of ſuch limiting of them, but no longer.

XXI. Collateral Aſſurances made for the defending of this Statute ſhall be void, and this ſhall be interpreted moſt beneficially for the deſtruction of ſuch uſes as aforeſaid.

XXII. This Act ſhall not prejudice Corporations, where there is a Cuſtom to deviſe Lands in Mortmain.

XXIII. This Act ſhall not prejudice the Executors of *Jannis* and *Terry* late Aldermen of *Norwich.*

☞ Mortuaries.

I. **Stat.** 21 *H.* 8. 6. No Spiritual Perſon, his Bailiff or Leſſee, ſhall take or demand more for a Mortuary than as is hereafter expreſſed, nor ſhall convent any perſon before any Eccleſiaſtical Judge for the Recovery of more for the ſame than is hereafter declared, in pain to forfeit ſo much as he takes or demands more, and likewiſe 40 *s.* to the party grieved, to be recovered by Action of Debt, wherein no Eſſoin, *&c.* ſhall be allowed.

II. None ſhall take or demand for a Mortuary any thing at all, where (by the Cuſtom) they have not been uſually paid, nor upon the death of a Woman Covert, a Child, a perſon not keeping Houſe, a Wayfaring-man, one not reſiding in the place where he happens to die, nor where the goods of the dead perſon (Debts deducted) amount not to the value of ten Marks; nor above the Sum of 3 *s.* 4 *d.* when they exceed not 30 *l.* nor above 6 *s.* 8 *d.* when they exceed 30 *l.* but not 40 *l.* nor above 10 *s.* when they amount to 48 *l.* or above. And if the perſon die in a place where he or ſhe dwelleth not, their Mortuary ſhall be paid in the place where they had their moſt abode.

III. This Act ſhall not abridge Spiritual perſons to receive Legacies bequeathed unto them or to the Kings Altar.

IV. No

IV. No Mortuaries ſhall be paid in *Wales*, *Calais* or *Berwick*, or in any of their Marches, ſave only in *Wales* and the Marches thereof where they have been accuſtomed to be paid; and ſuch as are there paid ſhall be regulated according to the order preſcribed by this Act.

V. The Biſhop of *Bangor*, *Llandaff*, St. *Davids*, and St. *Aſaph*, and the Arch-Decon of *Cheſter*, ſhall take Mortuaries of the Prieſts within their Juriſdiction as hath been accuſtomed, notwithſtanding this Act.

VI. Leſs Mortuaries already ſetled by Cuſtom ſhall not be increaſed by this Act; and there alſo perſons exempted by this Act ſhall not hereafter be chargeable.

☞ Murder and Manſlaughter.

I. Matth. 25. 52 *H.* 3. Murder ſhall not be adjudged where it is found misfortune only, but where the party is ſlain by Felony and not otherwiſe.

II. Sta. 3 *H.* 7. 1. *pars inde.* Every Coroner, upon view of the dead Body, ſhall inquire of the perſon that hath done the Death or Murder, alſo of their Abettors and Conſenters, and who were preſent when it was done; and the Names of the perſons ſo preſent and found ſhall inrol and certifie.

III. Here the Offender and his Acceſſaries, being Indicted, ſhall be alſo arraigned at any time within the year at the Kings Suit, and the proceeding thereof ſhall not tarry for any Appeal to be proſecuted within the year, as hath been heretofore uſed.

IV. Albeit the Principal or Acceſſary be acquit within the year and day, yet ſhall not the Juſtices ſuffer them to go at large, but either remand them to Priſon, or let them be bailed, until the year and day be out: And whether they be attainted or acquit, yet the Wife or next Heir of the Slain may within the year and day (the benefit of the Clergy being not before had) proſecute their Appeal againſt them, any ſuch Attainder or Acquittal notwithſtanding.

V. The Wife or Heir may commence their Appeal in proper perſon at any time within the Year before the Sheriff and Coroners of the County where the Offence was done, or before the Juſtices of the Kings-Bench or Goal-delivery. And in any ſuch caſe (ſave only where Battel lyeth) the Appellant (after the Suit ſo commenced) may appoint an Attorney to proſecute it.

VI. When one is ſlain in the day-time, and the Murtherer eſcapes untaken, the Townſhip that ſuffers it ſhall be amerced, and the Coroner ſhall enquire there of upon the view of the body dead.

☞ VII. Alſo Juſtices of Peace have power to enquire of Eſcapes, and to certifie them into the Kings-Bench: and after the Felonies found, the Coroners ſhall deliver their Inquiſitions before the Juſtices of the next Gaol-delivery there, who ſhall proceed againſt

againſt the Murderers, or elſe certifie ſuch Inquiſitions into the Kings-Bench.

VIII. A Coroner ſhall not be remiſs, but duly execute his Office according to Law, in pain of 5 *l.* and ſhall have for his Fee (upon view of the Body) 13 *s.* 4 *d.* of the Goods of the Murderer, if he have any; if not, then out of ſuch Amerciaments as ſhall be ſet upon the Towſhip that ſuffered the Murderer to eſcape.

Muſters: vid. Militia.

I. **Stat.** 4 & 5 *P. & M.* 3. If any one who ſhall be commanded to muſter by any authorized thereunto doth abſent himſelf, (having no lawful excuſe) or at ſuch Muſters doth not bring with him his beſt Arms, he ſhall ſuffer ten days impriſonment without Bail, to be impoſed by the perſons ſo authorized, unleſs he will agree to pay 40 *l.* for a Fine to the uſe of King and Queen and the Heirs and Succeſſors of the Queen: which Fine ſhall be eſtreated into the Exchequer by the ſaid perſons ſo authorized under their Seals within two months after ſuch Agreement, and afterward levied as Fines aſſeſſed by Juſtices of Aſſize and Goal-delivery in their Circuits.

II. If any perſon authorized to muſter or levy Souldiers ſhall exact or take any Reward to diſcharge or ſpare any from the ſaid Service, he ſhall forfeit ten times ſo much as he ſhall ſo exact or take.

III. A Captain or other Officer which, after he ſhall have (for a Reward) licenced a Souldier to depart, doth not pay him his Wages and Coat and Conduct-mony, ſhall forfeit ten times ſo much as he ſhall ſo take, and to the Souldier three times ſo much as he ſhould have paid him.

IV. The one moiety of the aboveſaid Forfeitures (except that limited to the Souldier) is given to the King and Queen, and the other to the Proſecutor.

☞ V. Juſtices of Aſſize, Juſtices of Peace, and Stewards in Leets, have power to hear and determine theſe Offences; and the Juſtices of Aſſize or Peace upon Conviction of the Offender may commit him to priſon without Bail, untill he hath ſatisfied the aboveſaid Penalties to the King, Queen and Proſecutor; or where there is no Proſecutor, to the King and Queen alone.

VI. Offences committed during the time of Service ſhall be heard and determined by the Chief Commander.

VII. This Act ſhall not diſcharge Service of War incident to the tenure of Land.

VIII. The Offender of this Act ſhall not be twice puniſhed for the ſame Offence.

IX. None ſhall under Colour of Service of War incident to the tenure of Land exact any other thing than what ſhall be employed in

in preſent Service, and ſhall be reſtored again to the owner when the Service is done, at leaſt ſo much thereof as ſhall not be ſpent or loſt in the Service.

X. Inhabitants within Cities, Burroughs and Corporations ſhall be muſtered at home by the Head-Officer, and one other (at leaſt) to be joyned with him by Commiſſion, or otherwiſe.

Newcaſtle upon Tine.

I. Stat. 9 *H.* 5. 10. ALL Keels in the Port of *Newcaſtle* ſhall be meaſured by Commiſſioners thereto aſſigned by the King, and marked of what Portage they are, before any carriage of Coals be made by them, in pain to forfeit them to the King.

II. Stat. 21 *H.* 8. 18. No perſon ſhall ſhip, load, or unload any Goods to be ſold into or from any Ship at any place on the River of *Tine*, between the places called *Sparhawk* and *Headwin-ſtreams*, but only at the Town of *Newcaſtle*, in pain to forfeit ſuch Goods, which the Mayor, Burgeſſes and Commonalty there ſhall have power to ſeize for the Kings uſe.

III. None ſhall raiſe or levy any Wear, Gore or Engine in the Haven there betwixt the places aforeſaid, in pain of 100 *l.* to be divided betwixt the King and the Proſecutor. And the Mayor *&c.* have power to take away all ſuch Wears, *&c.* which ſhall be found betwixt the ſaid places.

IV. This Act ſhall not extend to the buying, ſhipping, loading or unloading of Salt or Fiſh, nor to the buying or ſelling of any Wares or Merchandize needful for the victualling or amending of Ships.

V. Stat. 30 *Car.* 2. *cap.* 8. Commiſſioners ſhall from time to time be appointed by the King for the meaſuring and marking all Keals, and other Boats, Carts and Wains, for Carriage of Coals in the Port of *Newcaſtle* upon *Tine*, and all the Members and Places whatſoever to the ſaid Port belonging, by the Bowl-tub of *Newcaſtle*, containing twenty two Gallons and a Pottle, *winchester* meaſure, and being twenty ſeven Inches Diameter on the top from outſide to outſide, allowing one and twenty ſuch Bowls, heap meaſure to a Chalder.

VI. The Content of each Wayn ſhall be ſeven Bowls, and of each Cart three Bowls and one Buſhel heap meaſure: and three ſuch Wayns or ſix ſuch Carts ſhall be allowed for a Chalder; and no Coals to be made uſe of in ſuch Admeaſurement, but what are good and new wrought, and led to the Wharf within three months before ſuch Admeaſurement, one moiety to be dry and the other wet. And Keels and other Boats ſo admeaſured ſhall be marked by the Commiſſioners of what Portage they are, or by ſuch as they or any three of them ſhall appoint, in ſuch manner as the Commiſſioners, or any three of them ſhall think fit. Nor ſhall any Keel or Boat

Boat be admeaſured or marked but between the 25 of *March* and the 29 of *September* in any year.

VII. Keels or other Boats, Wayns or Carts, which ſhall carry any Coals in the places aforeſaid, before they be meaſured and marked as aforeſaid, ſhall be forfeited, together with the Coals laden upon them; one moiety to the King, the other to him that will ſeize or ſue for the ſame.

VIII. The Mayor of *Newcaſtle* for the time being ſhall adminiſter an Oath to ſuch as the Commiſſioners, or any three of them ſhall appoint for the meaſuring or marking of Boats and Keels in the River of *Tine*, for the true execution of their Truſt. And the Commiſſioners or three of them may adminiſter the like Oath to ſuch as they ſhall imploy for meaſuring or marking, *&c.* in all places within the limits of this Act.

IX. Perſons that have a hand in removing or altering ſuch Marks upon proof by one Witneſs before a Juſtice of Peace, ſhall forfeit 10 *l.* to be levied by diſtreſs and ſale of Goods, and for want thereof be committed to Goal for three Months.

News.

* I. **Weſt.** 1. 34 3 *E.* 1. None ſhall report any falſe or ſlanderous News or Tales, whereupon Diſcord may ariſe betwixt the King and his People, or the Great men of the Realm, in pain of impriſonment until he produce the Author.

II. **Stat.** 2 R. 2. *Stat.* 1. 5. None ſhall deviſe, ſpeak or tell any falſe News, Lies, or other ſuch falſe thing of Prelates, Lords, or the great Officers of the Realm, whereby any Diſcord or Slander may ariſe, in pain to be puniſhed as by the Statute of *weſtm.* 1. is ordained.

III. **Stat.** 12 *R.* 2. 11. When any one hath ſpoken falſities, contrary to the aforeſaid Statute, and cannot produce the Author, and is thereupon impriſoned, he ſhall afterward be puniſhed by the Kings Council, notwithſtanding the ſaid Statute of *weſtm.* 1.

Nisi Prius.

I. **Weſt.** 2. 30. 13 E. 1. Juſtices ſworn ſhall be aſſigned to take Aſſizes of *Novel Diſſeiſin*, *Mortdanceſter*, and *Attaints*, and they ſhall aſſociate unto them one or two of the diſcreeteſt Knights of the County where they come: Which Aſſizes and Attaints ſhall be taken but thrice in the year, *viz.* 1. Between the 8*th* of *July* and the 1*ſt* of *Auguſt*. 2. The 13*th* of *September* and the 6*th* of *October*. 3. The 3*d* of *January* and the 2*d* of *February*.

II. At ſuch Aſſizes, before they depart, they ſhall appoint the day of their Return; and may alſo adjourn the Aſſizes from day to day, if the taking of them happen to be deferred at any day by

by vouching to warranty, Eſſoin or default of Jurors. They may alſo adjourn Aſſizes of *Mortdanceſter* (being reſpited by Eſſoin or Voucher) into the Bench, and in ſuch caſe ſhall ſend thither the Record thereof together alſo with the Original Writ: And when the matter is come to the taking of the Aſſiſe, the Juſtices of the Bench ſhall remit it to the Juſtices before whom the Aſſizes ſhall be taken. But the Juſtices of the Bench in ſuch Aſſizes ſhall give four days (at leaſt) in the year before the Juſtices aſſigned, to ſpare expence and labour.

III. All Pleas in either of the Benches that require ſmall examination ſhall be determined before them: Howbeit, it muſt be at a day and place certain, appointed in the preſence of the parties, and mentioned in the Judicial Writ by theſe words: *Præcipimus tibi quod venire facias coram Juſticiariis noſtris apud weſtmonaſterium (niſi Talis & Talis tali die & loco, ad partes illas prius venerint) duodecim, &c.* And when the Inqueſts of ſuch Pleas are taken, they ſhall be returned into the Bench where they were commenced to receive Judgment, and to be inrolled: And Judgment otherwiſe taken ſhall be void, except in an Aſſiſe of *Darrain preſentment*, and Inquiſitions of *Quare Impedit*, which ſhall be determined in their proper County, before one of the Juſtices of the Bench and a Knight, at a day certain in the Bench aſſigned, whether the defendant conſent or not, and there ſhall Judgment alſo paſs immediately.

IV. The Juſtices of the Benches ſhall have in their Circuits Clerks to inrol all Pleas pleaded before them, as hath been uſed in times paſt. And the Juſtices aſſigned ſhall not compel the Jurors to ſay preciſely whether it be a Diſſeiſin or not, ſo as they will ſhew the Matter of Fact, and then require Aid of the Juſtices: But if they will of their own head ſay that it is Diſſeiſin, their Verdict ſhall be admitted at their own peril. And the Juſtices ſhall not put upon Aſſizes or Juries any other than ſuch as were ſummoned for the ſame at the firſt.

V. Stat. *De finibus levatis*, 27 E. 1. 4. Inqueſts and Recognizances determinable before the Juſtices of either Bench ſhall be taken in time of Vacation before any of the Juſtices before whom the Plea is brought, being aſſociate to one Knight of the ſame County where ſuch Inqueſt ſhall paſs, unleſs they require great examination: And ſuch Juſtices ſhall proceed therein notwithſtanding the Statute of 21 E. 1. *De ponendis in Aſſiſa*, (*which ſet it* Jurors.)

VI. Stat. *Eborac.* 12 E. 2. 3. Inqueſts in Pleas of Land (that require no great Examination) ſhall be taken in the County where the Plea is, before a Juſtice of the Peace, accompanied with a ſubſtantial Man in the Country, whether Knight or other, ſo as a certain day be given in the Bench, and a certain day and place in the Country, in the preſence of the Parties, and the Demandant requeſt the ſame: But Inqueſts of Pleas that require great

great Examination ſhall be taken in the Country, (in manner aforeſaid) before two Juſtices of the Bench.

VII. Stat. *Ebor.* 12 *E.* 2. 4. Juſtices of *Niſi Prius* have power to record Non-ſuits and Defaults in the Country at the Days and Places aſſigned, and ſhall report them in the Bench at a Day certain, there to be inrolled, and thereupon Judgment ſhall be given.

VIII. Stat. 2 *E.* 3. 16. Inqueſts in Pleas of Land ſhall be as well taken at the requeſt of the Tenant as of the Demandants, notwithſtanding the Statute of 12 *E.* 3.

IX. Stat. 4 *E.* 3. 11. Juſtices of the Benches, of Aſſize, and of *Niſi prius*, ſhall have power to hear and determine Maintenance, Conſpiracy, Confederacy and Champerty, as well as Juſtices in *Eyre*, and that which cannot be determined before the Juſtices of either Bench upon the *Niſi prius*, ſhall be adjourned unto the Bench where they are Juſtices, and ſhall be there determined. *Note, That this Statute is confirmed by the Statute of* 7 R. 2. 15. *which ſee in* Maitenance.

X. Stat. 14 *E.* 3. *Stat.* 1. 16. A *Niſi prius* in the Kings Bench ſhall be granted before a Juſtice of that place, if any Juſtice of that place may well go into thoſe parts; if not, then before a Juſtice of the Common-Pleas: ſo likewiſe thoſe in the Common Pleas ſhall be grantable before a Juſtice of the Kings-Bench, if he may go thither, *vice verſa*. But if none of them may go, then before the Chief Baron, if, *&c.* or elſe before the Juſtices aſſigned to take Aſſizes in thoſe parts, ſo as one of them be a Juſtice of one of the Benches, or the Kings Serjeant ſworn. And here, (to avoid fraud) if one party demand a Tenor of the Record, another Tenor thereof ſhall be alſo (upon requeſt) delivered to the other party.

XI. Where Aſſizes of *Quare impedit* and *Darrain preſentment* are tryable in the Country by *Niſi prius*, before the Juſtices of either Bench, the Chief Baron, or Juſtices of Aſſize, they may there give Judgment upon them.

XII. Stat. 7 *R.* 2. 7. In all Pleas where *Niſi prius* is grantable of Office, after the great Diſtreſs returned and three times ſerved before the Juſtices againſt the Jurors, and thereupon the parties demanded, if either Party will purſue, or if they refuſe to have a *Niſi prius* in the caſe, then at the Suit of any of the Jurors there preſent, a Writ of *Niſi prius* ſhall be granted to end the quarrel, and that as well in the Exchequer as elſewhere.

XIII. Stat. 14 *H.* 6. 1. Juſtices of *Niſi prius* have power to give their Judgments in caſes of Felony and Treaſon, as well upon acquittal as attainder, and thereupon alſo to award Execution.

XIV. Stat. 18 *El.* 12. The Chief Juſtice of *England* upon Iſſues joyned in the Kings-Bench or Chancery, and the Chief Juſtice of the Common Pleas and the Chief Baron of the Exchequer

upon Iſſues joyned in their ſeveral Courts, or (in their abſence) to other Juſtices or Barons, are made Juſtices of *Niſi Prius* for the County of *Middleſex*, and may ſet in *Weſtminſter-Hall*, or in the Exchequer, within the Term, or four days after, for the Trial of Iſſues joined in the ſaid Courts reſpectively, and triable in *Middleſex* aforeſaid, to prevent interruption of proceeding in the ſaid ſeveral Courts during the Term, and for the better eaſe of the Free-holders of *Middleſex*. Upon which Trials *tales* ſhall be granted, and all other Proceedings ſhall paſs as upon Writs of *Niſi prius* triable elſewhere in the Country.

Non-Conformists.

I. Stat. 13 & 14 *Car.* 2. *cap.* 1. If any who maintain that the taking an Oath in any Caſe whatſoever is unlawful, refuſe to take an Oath where by Law they are bound, or endeavour to perſwade others to refuſe, or maintain that the taking an Oath in any caſe whatſoever is unlawful: And if five or more *Quakers* of ſixteen years of age or upwards aſſemble under pretence of joyning in Religious Worſhip not authorized by Law, the party offending being convicted by Verdict, Confeſſion or by the notorious Evidence of the Fact, ſhall forfeit for the firſt offence the ſum impoſed not exceeding five pounds: and for the ſecond the ſum impoſed not exceeding 10 *l.* to be levied by diſtreſs and ſale of Goods: and for want thereof or non-payment within a week after Conviction, ſhall be committed to the Goal or Houſe of Correction for the firſt Offence three months, for the ſecond ſix months, to be kept at hard Labour: The Mony ſhall be paid to whom they before whom the Conviction is, ſhall appoint, for increaſe of the Stock of the Houſe of Correction to which they ſhall be committed. If after two Convictions they offend the third time and are convicted, they ſhall abjure the Realm, or the King may order them to be tranſported in any Ship to any of his Plantations.

II. Juſtices of *Oyer* and *Terminer*, of Aſſize and Goal-delivery, and of the Peace in their general Seſſions, may determine the ſaid Offences.

III. Juſtices of Peace, Mayors and Chief Officers of Corporations may commit to the Common Goal, or bind over with Sureties to the Quarter-Seſſions ſuch Offenders, in order to their Conviction.

IV. If after conviction they ſhall take ſuch Oaths and give Security to forbear meeting in ſuch unlawful Aſſemblies, they ſhall be diſcharged from the Penalties aforeſaid.

V. Lords of Parliament for every third Offence ſhall be tried by their Peers.

VI. Stat. 17 *Car.* 2. *cap.* 2. Parſons, Vicars, Curates, Lecturers and others in Holy Orders, or pretended Holy Orders, or pretending to Holy Orders, all Stipendaries and others who have been

been poſſeſſed of any Eccleſiaſtical Promotion, not having declared their Aſſent and Conſent, and ſubſcribed the Declaration contained in the *Stat.* of 14 *Car.* 2. *cap.* 4. and all that ſhall preach in any unlawful Aſſembly, ſhall not, unleſs only in paſſing upon the Road, come within five miles of any City, Town-Corporate, or Burrough that ſends Burgeſſes to Parliament, or of any Pariſh, Town or Place, where ſince the Act of Oblivion they have been Parſon, *&c.* or preached *ut ſupra*, till before the Juſtices of Peace at their Quarter Seſſions for the Diviſion next to the ſaid City or Town-Corporate, *&c.* they have taken and ſubſcribed this Oath: *viz.* I A. B. *Do ſwear that it is not lawful upon any pretence whatſoever, to take Arms againſt the King, and, that I do abhor that traiterous poſition, of taking up Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him, in purſuance of ſuch Commiſſions: and that I will not at any time endeavour any alteration of Government, either in Church or State*, on pain to forfeit 40 *l.* one third to the King, another third to the Poor of the Pariſh where the Offence is committed, the other third to the Proſecutor, in any Court of Record at *Weſtminſter*, before any Juſtices of Aſſize, *Oyer* and *Terminer*, or Gaol-delivery, Juſtices of the Counties Palatine of *Cheſter*, *Lancaſter* and *Durham*, or of the great Seſſions in *Wales*, or Juſtices of Peace in their Quarter-Seſſions.

VII. Perſons ſo reſtrained, *&c.* and others not firſt taking and ſubſcribing the ſaid Oath, and not frequenting Divine Service eſtabliſhed by Law, ſhall not teach any School, by themſelves or others, on pain to forfeit 40 *l.* to be recovered and diſtributed as aforeſaid.

VIII. Any two Juſtices of the Peace of the County, upon Oath made of any Offence againſt this Act may commit the Offender for ſix months, unleſs he ſhall before the ſaid Juſtices ſwear and ſubſcribe the ſaid Declaration.

IX. The Obedience of any perſons ſo reſtrained to any Writ, *Subpœna* or other Proceſs, ſhall be no Offence againſt this Act.

Non-plevin.

1. **Stat.** 9 E. 3. 2. None ſhall loſe their Land by reaſon of *Non-plevin.*

Non-ſuit.

1 **Stat.** 2 H. 4. 7. Where before Juſtices of Aſſize the parties are adjourned for ſome difficulty in Law upon the matter found, in this Caſe the Plaintiff ſhall not be non-ſuited, albeit the Verdict paſs againſt him.

Nontenure.

I. Stat. 25 *E.* 3. *Stat.* 5. 16. by the Exception of Non-tenure of Parcel no Writ ſhall abate, but only for the quantity of the Non-tenure which is alledged.

Northampton.

I. Stat. 27 *Car.* 2. *cap.* 1. The Judges of Aſſize for the County of *Northampton* and of the Courts of Kings-Bench, Common-Pleas and Barons of the Colf of the Exchequer, the Juſtices of Peace for the ſaid County, and Mayor of *Northampton* for the time being, Sir *John Holman* Baronet, Sir *Edmund Bray* Knight, *Thomas Willowby*, *James Stedman*, *Robert Hazelridge*, *Thomas Andrews*, *Thomas Ward*, *Charles Fleetwood*, *Daniel Danvers*, *Salathiel Lovel* and *William Kimbold*, Eſquires, or five of them ſitting at *Northampton*, are hereby conſtituted a Court of Record, and may without the Formalities of proceedings in Courts of Law or Equity, at their diſcretions determin all Differences which have or may ariſe by reaſon of the late ſudden and dreadful Fire which hapned in *September* laſt in the Town of *Northampton*, other than Arrears of Rent due on or before the 29*th* of *September* 1675. The Definitive Order of the ſaid Court to be final without Appeal or Review other than is hereafter expreſſed.

II. The parties aforeſaid or five of them may order the ſurrendring, increaſing, abridging, ceaſing or charging of any Eſtate in the Premiſſes, or new Eſtates to be made to any late Occupier, at what Rent they think fit, unleſs where the Law forbids the diminiſhing of ancient and accuſtomable Rent. Such Orders to be concluſive notwithſtanding any Coverture, Infancy, Non-ſanity of memory, Eſtate-tail, Right of the Church or other Diſability.

III. The ſaid Court may make Directions in the Forms and Orders of Building: and may decree the enlargement or alteration of Streets, Lanes, Roads and Paſſages, and other publick places for the convenience of the Town, and may agree with the Owners of ſuch ground as ſhall be made uſe of, and if any perſon through any impediment cannot accept thereof, they may ſummon a Jury to aſſeſs ſuch Recompence as they think fit, and upon payment of the Mony ſo awarded, or tender and refuſal thereof, the Intereſts of all parties to be bound.

IV. The ſaid Court may alter Foundations, and award what ſhall be paid by ſuch as are benefied thereby and to ſuch as receive damage: and in caſe any perſon will not, or through any impediment cannot accept thereof, they may ſummon a Jury to aſſeſs it: upon payment whereof, or tender and refuſal the parties damnified to be barred, and the perſons benefited to enjoy what ſhall be ſo aſſigned them.

V. The

V. The ſaid directions ſhall not extend to take away any Mans ground otherwiſe than to enlarge the paſſages at the places herein mentioned. *For which ſee the Statute at large.* If the Owners ſhall not within three years after the Fire lay the foundations of their Houſes, and within the time to be limited by the ſaid Court finiſh the ſame, the Court may decree the Soil to ſuch as will build and award ſatisfaction to the Owners, and in caſe any perſon will not, or through any Impediment cannot accept thereof, the Court may ſummon a Jury, *ut ſupra.*

VI. All Houſes and other Buildings to be built in the ſaid Town ſhall be covered with Lead, Slate or Tile, and no perilous Trade in reſpect of Fire ſhall be exerciſed in the principal Streets or Parts of the Town: Building otherwiſe covered, and Houſes built contrary to the directions of the ſaid Court ſhall be deemed publick nuſances.

VII. Orders made by a leſſer number than ſeven of the perſons aforeſaid may be excepted to within twenty days after they are made; ſuch Exceptions to be preſented in writing to a Judge of Aſſize for the ſaid County, or other Judge of either Bench, or a Baron of the Colf of the Exchequer; and if one of them ſhall ſubſcribe that he finds probable cauſe of complaint, ſeven or more of the perſons above named, that did not make ſuch order, may review, reverſe, confirm, enlarge or diminiſh or otherwiſe alter the ſame, or award Coſts againſt the Appellants, and levy the ſame by diſtreſs and ſale of their Goods: ſuch Appeals to be finiſhed within ſix months after the Exceptions delivered in.

VIII. Such Decrees ſhall conclude all perſons whatſoever, Bodies Politick and Corporate, Infants, Feme-coverts, *&c.* and no Writ of *Certiorari* ſhall be for the removal or reverſal of the ſame: they ſhall be entred fairly in one or more Books, and ſubſcribed by the perſons that made them: the ſaid Books to be delivered in to the Mayor and Aldermen of the Town, to be kept among their Records and Evidences, and all perſons concerned may have free recourſe to the ſame: The Authorities given by this Act to continue ten years and no longer.

IX. The Juſtices of Peace for the ſaid County who ſhall be Inhabitants in the Town, may exerciſe their Office within the Town and Liberties thereof as in the County: other Juſtices of Peace for the County may exerciſe the ſaid Office within the Town and Liberties thereof during the time in which the Aſſizes and Seſſions of the Peace for the County ſhall be kept there. Perſons not free of the Town, that ſhall build any Houſe there to the value of 300 *l.* within ſeven years from the 20*th* of *September* laſt, may exerciſe any Trade within the Town as Free-men.

X. All perſons before they execute any the Authorities in this Act mentioned, ſhall take this Oath before two Juſtices of Peace for the County, *viz.*

I do hereby ſwear, that I will juſtly and truly execute the Powers and Authorities in this Act contained, according to the beſt of my

knowledge, without favour or affection to any of the Parties concerned. So help my God.

XI. Persons impleaded for any thing done in pursuance of this Act, may plead the general Issue, and give the special matter in evidence; and if the Plaintiff be non-suit, or a Verdict pass against him, the Defendant shall have double Costs.

Northumberland.

I. Stat. 23 *H.* 6. 7. the Sheriff of *Northumberland* shall gather no more Head-pence there, in pain of 100 *l.* to be divided betwixt the King and the Prosecutor.

Norwich.

* I. Stat. 33 *H.* 8. 16. None shall buy within *Norwich* or the County of *Norfolk* any Worsted-yarn spun in the said City or County but such as shall work it or cause it to be wrought in *Norwich*, or else where within the said County, in pain to forfeit for every pound thereof otherwise imployed 40 *s.* to be divided betwixt the King and the Prosecutor.

II. None shall convey beyond Sea any Worsted-yarn (spun in *England*) in pain to forfeit 40 *s.* for every pound to be divided as aforesaid.

III. Stat. 1 *E.* 6. 6. The Statute of 33 *H.* 8. 16. is made perpetual.

IV. Hat-makers dwelling in *Norwich* may buy Worsted-yarn called *Middle-luff-yarn*, as they have used to do, notwithstanding the Statute of 33 *H.* 8. 16. so as they imploy it in Hat-making within the said City.

V. Stat. 5 & 6 *E.* 6. 24. None shall make Mats, Coverlets or Dornicks, by himself or others, or use any of those Mysteries in *Norwich* or *Norfolk*, unless he be admitted so to do by the Mayor, Recorder, Steward and two Justices of Peace of that City, or by four of them, or have been Apprentice to the said Mystery by the space of seven years.

VI. None shall make any Hats, Dornicks or Coverlets, in *Norfolk*, but only in some Corporate or Market-Town there, in pain to forfeit for every six Felts 10 *s.* for every Coverlet 3 *s.* 4 *d.* and for every six yards of Dornicks 6 *s.* 8 *d.*

VII. This Act shall not extend to the Inhabitants of *Pulham* in *Norfolk*.

VIII. The Mayor, Recorder, Steward, or Justice of Peace that takes a reward for admitting any to work, shall forfeit 5 *l.* to be divided betwixt the King and the Prosecutor.

IX. Stat. 1 & 2 *P.* & *M.* 14. An Act for the making of Russets, Sattens, Sattens reverses, and Fustians of *Naples*, at *Norwich*, and not elsewhere; by which Act there is a Corporation made

made for that purpoſe, and divers Articles concerning the ſame. *See the Act at large.*

X. Stat. 39 *El.* 22. An eſtabliſhment of the Biſhoprick of *Norwich* and poſſeſſion thereof, againſt a pretended concealed Title made thereunto. *See the Statute at large.*

Vid. *Drapery, Num.* 312. *&c.*

☞ Nuſance.

I. Weſt. 2. 24. 13 E. 1. A Writ of Nuſance ſhall be grantable as well againſt the Alienee as againſt the party that levied it: and when it is againſt the party himſelf, the Writ ſhall be, *Queſtus eſt nobis* A. *quod* D. *injuſte, &c. levavit domum, murum, mercatum, & alia, quæ ſunt ad nocumentum &c.* But when againſt the Alienee, the Writ ſhall be, *Queſtus eſt nobis* A. *quod* B. *&* C. *levaverunt, &c.*

II. Stat. 6 *R.* 2. 3. All Writs of Nuſance called *Vicontiels* ſhall be made at the Election of the Plaintiff, according to the old Form, or in the nature of Aſſizes, determinable before the Juſtices of the one Bench or other, or the Juſtices of Aſſize, to be taken in the County of the place aſſigned.

Oath.

I. SEE Magna Charta, *Printed by* Richard Tottel *Anno Domini* 1556. *fol.* 164. and 166. *the Oaths of the King, the Biſhops, the Kings Counſellors, Eſcheators, Sheriffs, Mayors and Bailiffs. See the Oath* Ex officio, Courts and Juriſdictions Eccleſiaſtical, *Numb.* VI. *And ſee Title* Quakers, *Num.* I.

Obligations.

I. Stat. 38 *E.* 3. 4. Whereas divers People be bound in another Court out of the Realm, by Inſtruments or otherwiſe, it is accorded, that all penal Bonds in the third perſon be void, and holden for none.

Odio & Atia.

I. Weſt. 1. 12. 3 E. 1. Foraſmuch as many being indicted of Murder, and guilty thereof, by favourable Inqueſts taken by the Sheriff, and by the Kings Writ of *Odio & Atia*, are replevied until the coming of the Juſtices in *Eyre*; It is provided, that from henceforth ſuch Inqueſts ſhall be taken by lawful men choſen out by the Oath of twelve Men (of whom two at the leaſt ſhall be Knights) who by no Affinity with the Priſoners or otherwiſe are to be ſuſpected.

☞ Officers and Office.

I. Stat. 12 *R.* 2. 2. The Chancellor, Treaſurer, Keeper of the Privy Seal, Steward of the Kings Houſe, the Kings Chamberlain, the Clerk of the Rolls, Juſtices of the Benches, Barons of the Exchequer, and all others called to name and ordain Juſtices of Peace, Sheriffs, Eſcheators, Cuſtomers, Controllers, or any other Officer or Miniſter of the King ſhall be firmly ſworn, that they ſhall not name or ordain any Officers or Miniſters for any Gift or Brocage, favour or affection: And none which purſueth by him or by other, privily or openly, to be in any ſuch Office, ſhall be put in the ſame or any other: But that they make all ſuch Officers and Miniſters of the beſt and moſt lawful and ſufficient Men in their Judgments and Knowledge.

II. Stat. 14 *R.* 2. 10. No Cuſtomer, Controller, Searcher, Weigher or Finder ſhall have any ſuch Office for term of life, but only during the Kings pleaſure, notwithſtanding any Patent or Grant to the contrary.

III. Stat. 17 *R.* 2. 5. No Searcher, Gauger, Alnager, Finder or Weigher of Wools or other Merchandize, Collector of Cuſtoms and Subſidies, or Controller, ſhall have their ſeveral Offices for term of life or years; but ſuch Offices ſhall remain in the Kings hand, under the governance of the Treaſurer, with the Aſſent of the Council, if need be: and all Charters and Patents otherwiſe made ſhall be void.

IV. Stat. 1 *H.* 4. 13. The Statute of 17 *R.* 2. 5. ſhall be duly put in execution, and all Cuſtomers and Controllers ſhall be reſident upon their Offices in their proper perſons, without making any Deputies in their places.

V. Stat. 4 *H.* 4. 20. The Statute of 1 *H.* 4. 13. ſhall be duly put in execution, and the ſaid Officers ſhall be ſworn ſo to do, on pain of impriſonment, and to forfeit 100 *l.*

VI. Stat. 13 *H.* 4. 5. The Statute of 1 *H.* 4. 13. ſhall be duly put in execution. And all Cuſtomers, Controllers, Gaugers of Wines, and Searchers, ſhall be reſident upon their Office, eſpecially at the time of charge and diſcharge of Ships and Veſſels; ſo that no ſuch Officer, after the time aforeſaid, be abſent from his ſaid Office by three weeks at the moſt, in pain to loſe his Office, unleſs he be commanded upon Record to be in the Kings Courts, or otherwiſe in the Kings Service of Record.

VII. Stat. 2 *H.* 6. 10. All Officers made by the Kings Letters Patents within his Courts, which have authority (*ab antiquo*) to appoint Clerks and Miniſters within the ſame Courts, ſhall be ſworn to appoint ſuch there for whom they will anſwer at their peril, and ſuch as be ſufficient, and will be faithful and diligent in their places.

VIII. Stat.

VIII. Stat. 31 *H.* 6. 5. All Letters Patents of the ſaid Offices or Alnage made againſt the Effect of the Statutes of 17 *R.* 2. 5. or 4 *H.* 4. 24. (*which ſee in* Drapery) ſhall be void: And no Letters Patents of any of them ſhall be hereafter made, but by Warrant of Bill ſealed by the Treaſurer, and ſent by him into the Chancery, as hath been heretofore uſed; and if any be otherwiſe made, they ſhall be void.

IX. This Act ſhall not extend to be prejudicial to the Queen, the Prince, the Duke of *Buckingham*, the Heirs of *Henry* late Earl of *warwick*, the Cities of *London* and *wincheſter*, to any Controller for any Office out of the Kings Ports, to *John Pannicok* or *Gyles Scyatlo* Eſquires, or to any of the King or Queens Houſhold Servants, for any of their Offices, or the Fees thereof due and accuſtomed.

* X. Stat. 5 & 6 *E.* 6. 16. None ſhall bargain or ſell any Office or Deputation, or any part thereof, or receive or take any Mony, Fee, Reward, or other profit directly or indirectly, or any Promiſe, Agreement, Bond or Aſſurance to receive any ſuch Profit for the ſame, which Office ſhall concern the Adminiſtration or Execution of Juſtice, or the Receipt, Controlment, or Payment of any of the Kings Mony or Revenue, or any Accompt, Aulnage, Auditorſhip, or Surveying of any of the Kings Lands, or any of his Cuſtoms, or any Adminiſtration or Attendance in any Cuſtomhouſe, or the keeping of any of the Kings Towns, Caſtles or Fortreſſes, (being places of ſtrength or defence) or any Clerkſhip in any Court of Record; in pain that the Bargainee thereof ſhall loſe his Place, and the Bargainor be adjudged diſabled to execute the ſame: and every ſuch Bargain and Agreement ſhall be void.

XI. Provided, That this Act ſhall not extend to any Office of Inheritance, for the keeping of a Park, Houſe, Mannor, Garden, Chaſe or Foreſt; nor to the two Chief Juſtices, or Juſtices of Aſſize, but that they may grant Offices, as they did before the making of this Act. Alſo all Acts done by any Officer removable by force of this Statute ſhall be good in Law, until he be removed.

XII. Stat. 25 *Car.* 2. *cap.* 2. All perſons that ſhall bear Office, Civil or Military, or receive any Salary or Wages, by any grant from the King, or ſhall have Command or Place of Truſt from or under him, or from any of his Predeceſſors, or by their Authority, in *England*, *Wales*, Town of *Berwick*, or in his Navy, or in the Iſles of *Jerſey* and *Gerneſey*, or ſhall be of the Houſhold or in the Service of the King or the Duke of *York*, who ſhall reſide or be within *London*, *Weſtminſter*, or thirty Miles of the ſame, at any time in *Eaſter*-Term in the year 1673. ſhall appear before the end of *Trinity*-Term next following in the Court of Chancery or Kings Bench, and between the hours of nine and twelve in the forenoon take the Oaths of Supremacy and Allegiance. During which time of the taking thereof, all proceedings ſhall ceaſe: and

every

every of the ſaid perſons and Officers not having taken the ſaid Oaths in the ſaid Courts ſhall on or before the firſt day of *Auguſt* 1673. at the Quarter-Seſſions for that place where they ſhall be, or reſide on the 20*th* of *May*, take the ſaid Oaths in open Court between the ſaid hours. And the ſaid Officers ſhall receive the Sacrament of the Lords Supper according to the uſage of the Church of *England*, at or before the firſt of *Auguſt* 1673. in ſome Pariſh-Church upon ſome Lords day.

XIII. And all perſons that ſhall be admitted into any of the ſaid Offices, or ſhall receive any pay or wages *ut ſupra*, or ſhall be received into any Service or Imployment aforeſaid, after the firſt day of *Eaſter*-Term aforeſaid, and ſhall reſide or be when ſo admitted in *London* or *Weſtminſter*, or within thirty miles of the ſame, ſhall take the ſaid Oaths in the ſaid Courts, in the next Term after their admittance, between the hours aboveſaid: and all ſuch perſons to be admitted after the firſt day of *Eaſter*-Term, as aforeſaid within three months after their Admittance.

XIV. And every of the ſaid perſons in the Court where he takes the ſaid Oaths ſhall deliver a Certificate of his receiving the Sacrament, as aforeſaid, under the Hand of the Miniſter and Churchwarden, and ſhall make proof of the truth thereof by two Witneſſes upon Oath, all which ſhall be recorded in the reſpective Courts.

XV. All perſons neglecting to take the ſaid Oaths and Sacrament, as aforeſaid, ſhall be *ipſo facto* diſabled to enjoy the ſaid Offices or Employments, or any profit thereby; and every ſuch place ſhall be void.

XVI. All perſons that after ſuch neglect ſhall execute any of the ſaid Offices or Employments and be convicted thereof in any of the Courts at *Weſtminſter* or at the Aſſizes, ſhall be diſabled to ſue in Law or Equity, or be Guardian to any Child, or Executor or Adminiſtrator, or capable of any Legacy, or Deed of Gift, or to bear any Office in *England*, *Wales*, or Town of *Berwick*, and ſhall forfeit 500 *l.* to be recovered in any of the Courts at *Weſtminſter*.

XVII. The names of all ſuch perſons and Officers aforeſaid as ſhall take the Oaths aforeſaid ſhall be inrolled in the reſpective Courts aforeſaid, with the time of their taking the ſame: Which Rolls as for the Court of Chancery ſhall be publickly hung up in the Office of the Petty-bag, and for the Kings-Bench in the Crown-Office of that Court, and in ſome publick place in every Quarter-Seſſions, during the whole Term, every Term, and during the whole time of ſuch Seſſion, for every one to reſort to, without Fee: and none ſhall pay above 12 *d.* for entry of his taking the ſaid Oaths.

XVIII. If any not bred up from their Infancy by their Parents in the Popiſh Religion, and profeſſing themſelves Popiſh Recuſants ſhall educate their Child or Children, or ſuffer them to be educated in the Popiſh Religion, they ſhall be diſabled of bearing any Office in Church or State; and all ſuch Children ſo Educated ſhall be

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disabled of bearing any such Office, till they be reconciled to the Church of *England*, and take the said Oaths in the Quarter-Sessions of the place where they inhabit: and thereupon receive the Sacrament of the Lords Supper after the usage of the Church of *England*, and obtain a Certificate thereof under the hands of two of the said Justices.

XIX. When the persons concerned in this Act shall take the said Oaths, they shall likewise make and subscribe this Declaration under the same Penalties as by this Act is appointed:

I A. B. *do declare, that I do believe that there is not any Transubstantiation in the Sacrament of the Lords Supper, or in the Elements of Bread and Wine, at, or after the Consecration thereof by any Person whatsoever.* Of which Subscription shall be kept the like Register, as of taking the Oaths aforesaid.

XX. This Act shall not take away any right, which any person hath by reason of his Peerage, or take away any creation-mony, or bills of Impost, or make void any pension granted by the King for valuable consideration, for life, lives or years, other than such as relate to any Office, and other than voluntary Pensions: nor make void any Estate of Inheritance granted to any in Hereditaments, not being Offices; nor any pension granted to any who was instrumental in the preservation of the King after *Worcester* Battel, in the year 1651. nor make void the grant of any Office of inheritance, or any Salary for executing thereof, so as such persons having such Offices appoint their Deputies to exercise them, till themselves shall voluntarily take the said Oaths, and receive the Sacrament, and subscribe the said Declaration, and so as such Deputies take the said Oaths, receive the Sacrament, and subscribe the said Declaration, as the Officers themselves are appointed to do: and so as such Deputies be approved by the King under his Privy Signet.

XXI. Peers may take the said Oaths and make the said Subscription and deliver the said Certificate before the Peers in Parliament, if the Parliament be sitting within the time limited, and in the intervals of Parliament in the Chancery.

XXII. No married Woman, or person under the age of eighteen years, or beyond Sea, or on the Seas, or found by Oaths of twelve men to be *non compos mentis*, and so remaining at the end of *Trinity*-Term 1673. shall lose his or her Office, by vertue of this Act (other than such married Woman during her Husbands life) so as such persons within four Months after such impediments removed, perform all things by this Act appointed.

XXIII. Any person forfeiting any Office by such neglect, may by a new grant of the same or any other Office, hold the same, doing all things required by this Act: so as such Office be not granted to, and enjoyed by some other.

XXIV. This Act shall not make any forfeiture or incapacity by or upon any Non-Commission Officer in the Navy, subscribing the Declaration therein required.

XXV. This

XXV. This Act ſhall not extend to Penſions granted to the Earl of *Briſtol* or his Wife the 16th of *July* 1669.

XXVI. This Act ſhall not extend to the Office of High Conſtable, Petty-Conſtable, Tything-man, Headburrough, Overſeer of the Poor, Church-Wardens, Surveyer of High-ways, or the like; or to any Office of Foreſter, or Keeper of any Park, *&c.* or Bayliff of Lands, or the like, *&c.*

Oyer and Terminer.

I. **Weſt.** 2. 29. 13 E. 1. A Writ of Treſpaſs (*ad audiendum & terminandum*) ſhall not be granted but before the Juſtices of either Bench or Juſtices in *Eyre*, unleſs it be for ſome hainous Treſpaſs, which requires ſpeedy remedy.

II. A Writ to hear and determine Appeals before Juſtices aſſigned ſhall not be granted but upon a ſpecial Caſe, a certain Cauſe, and the Kings Command. And leſt the Party ſhould be kept too long in Priſon, they may have the Writ *De Odio & Atia*, provided by *Magna Charta*, *Cap.* 26. and other Statutes.

III. **Statutum quod vocatur Ragman de Juſticiariis aſſignatis**, 33 E. 1. By this Act it was ordained, that Juſtices ſhould go through *England*, to hear and determine Treſpaſſes, and other Complaints of things done within twenty five years before; and divers matters be in that Statute concerning thoſe things. *See the Statute in Vet. Chart. fol.* 28. *and Sir* Edw. Coke *in the fourth part of his Inſtit. cap.* 34.

IV. **Stat.** 2 E. 3. 2. *pars inde.* Commiſſions of *Oyer* and *Terminer* ſhall not be granted but before one of the Juſtices of the one Bench or the other, or the Juſtices Errant, and that for great hurt and horrible Treſpaſſes, and of the Kings ſpecial Grace, according to the Statute of *Weſtm.* 2. 29.

Oyl.

I. **Stat.** 3 *H.* 8. 14. The Mayor of *London*, together with the Maſter and Wardens of the Myſtery of Tallow-Chandlers there, ſhall have power to ſearch all Oyls brought to *London* to be ſold, and to overſee that the ſame be not mixed or altered from their right kinds; and what they ſhall find deceitfully mixed, they ſhall caſt away, and puniſh the Offender by impriſonment or otherwiſe, at their diſcretions, according to the Laws and Cuſtoms of the ſaid City.

II. Head-officers in other Corporations ſhall have the like Power within their Juriſdictions.

☞ Ordinaries.

I. Weſt. 2. 19. 13 E. 1. Where an Inteſtate dies in Debt, and the Goods come to the Ordinary to be diſpoſed, in this caſe the Ordinary ſhall ſatisfie the Debts ſo far as the Goods extend, in ſuch ſort as the Executors of ſuch perſons ſhould have done in caſe he had made a Teſtament.

II. Stat. 18 E. 3. *Stat.* 3. *c.* 6. Temporal Juſtices ſhall not make Inquiries of Proceſs awarded by the Spiritual Judges, ſaving only the Article in *Eyre*, ſuch as ought to be.

III. Stat. 25 E. 3. *Stat.* 3. 9. The Juſtices ſhall not impeach Ordinaries or their Miniſters upon Indictments of general Extortions or Oppreſſions, unleſs they put in certain, in what thing, of what, and in what manner the Ordinaries or their Miniſters have committed Extortion or Oppreſſion.

Pains and Penalties.

I. Stat. 13 *Car.* 2. *c.* 15. AN Act declaring the Pains Penalties and Forfeitures, Impoſed upon the Eſtates and Perſons of certain Notorious Offenders excepted out of the Act of Free and General Pardon, Indempnity and Oblivion. *See the Statute at large.*

☞ Painters.

* I. Stat. 1 *Jac.* 1. *c.* 20. No Plaiſterer ſhall uſe to exerciſe the Art of a Painter in *London* or the Suburbs thereof, or lay any manner of Colour or Painting whatſoever (in the Art of Painting heretofore uſed) unleſs he be a Servant or Apprentice to a Painter, or have ſerved ſeven years as an Apprentice in that Art; in pain for every time ſo offending to forfeit 5 *l.* to be divided betwixt the King and the Proſecutor.

II. Provided, That Plaiſterers may uſe Whiting, Blacking, Red-lead, Red-okar, and Ruſſet, mingled with Size only, and not with Oyl, notwithſtanding this Statute.

III. Provided alſo, That no Painter ſhall take above 16 *d.* the day for laying any flat colour, whatſoever, mingled or mixed with Oyl or Size, upon any Timber, Stone or Lead.

Palace.

I. Stat. 28 *H.* 8. 12. The Limits of the Kings Palace at *Weſtminſter* ſhall extend from *Charing-Croſs* to *Weſtminſter-Hall*, and ſhall have ſuch Priviledges as the Kings Ancient Palaces have.

Panel.

I. Stat. 42 E. 3. 11. No Inqueſts but Aſſizes and Deliverances of Gaols ſhall be taken by Writs of *Niſi prius*, before the Names of all that are to paſs thereupon are returned into the Courts.

II. The Sheriff ſhall array the Panels in Aſſizes for four Days at leaſt before the Seſſions of the Juſtices in pain of 20 *l.* ſo that the Parties may have a Copy of the Panels, if they demand them; and the Returns thereof by the Bayliffs to the Sheriffs ſhall be ſix days before the Seſſions, upon the like pain.

III. The moſt ſubſtantial People, worthy of Credit, and not ſuſpect ſhall be put upon Panels, and ſuch as may have beſt knowledge of the Truth, and dwell neareſt.

IV. Stat. 3 H. 8. 12. Panels returned by the Sheriff to inquire for the King may be reformed by the Juſtices of Gaol-delivery or Juſtices of Peace (1. *Qu.*) before whom ſuch Panel ſhall be ſo returned; and the Sheriff ſhall return the Panels ſo reformed: in pain of 20 *l.* to be divided betwixt the King and the Proſecutor. And in this caſe the Kings Pardon ſhall be no Bar againſt ſuch Proſecutor.

☞ Pardon.

I. Stat. Of *Glocester* 9. 6 E. 1. No Writ ſhall be granted out of the *Chancery* for the death of a Man, to enquire whether one did kill another by misfortune, or *ſe defendendo*, or otherwiſe by Felony; but the party ſhall be put in priſon until the coming of the Juſtices in *Eyre*, or Juſtices aſſigned to the Gaol-delivery, and ſhall put himſelf upon the Country before them: and in caſe it be found *per infortunium*, or *ſe defendendo*, upon report thereof to the King by the Juſtices, the King ſhall take him to his Grace, if he ſo pleaſe.

II. Stat. 2 E. 3. 2. *pars inde.* Charters of Pardon for Manſlaughters, Robberies, Felonies, and other Treſpaſſes, ſhall not be granted, but where the King may do it ſaving his Oath, *viz.* where one Man killeth another in his own defence, or by a misfortune.

III. Stat. 4 E. 3. 13. The Statute of 3 E. 2. is confirmed.

IV. Stat. 10 E. 3. 2. Pardons ſhall not be granted contrary to the Statute of 2 E. 3. 2.

V. Stat. 10 E. 3. 3. He that hath a Pardon of Felony ſhall within three months after ſuch Pardon find Suretie, (before the Sheriff and Coroners) for the good behaviour, which ſhall within three weeks after the three Months be returned into the Chancery under the Seals of the ſaid Sheriff and Coroners: And if the party give not ſecurity as aforeſaid, or, being bound, do bear himſelf

himſelf otherwiſe againſt the Peace than he ought, the Pardon ſhall be holden for none.

VI. Stat. 14 *E.* 3. *Stat.* 1. 15. No Pardon of the Death of a Man, or other Felony, ſhall be granted, but only where the King may do it ſaving the Oath of his Crown; and if any Pardon be granted againſt the Statutes made before this time, it ſhall be holden for none.

VII. Stat. 27 *E.* 3. *Stat.* 1. 2. Pardons which have not in them the Suggeſtion whereupon they are granted, and alſo the Suggeſtors Name, ſhall be void; ſo are thoſe likewiſe which are granted upon falſe Suggeſtions.

VIII. Stat. 13 *R.* 2. 1. In a Pardon the Offence committed ſhall be ſpecified, otherwiſe it ſhall not be allowed.

IX. No Pardon of Treaſon or Felony ſhall paſs without Warrant of the Privy Seal.

X. If the Offence pardoned be afterwards found wilful murder, that Pardon ſhall not be allowed. *Vide Stat.* 16 *R.* 2. 9.

XI. Stat. 5 *H.* 4. 2. If an Approver ſhall commit Felony after he is pardoned, he that procured his Pardon ſhall forfeit 100 *l.* whoſe Name ſhall alſo for that purpoſe be inſerted in the ſaid Pardon.

XII. Stat. 12 *Car.* 2. *cap.* 11. All Treaſons, Murders, Felonies, Offences, Crimes, *&c.* ſince the firſt of *Jan.* 1637. and before the 25*th* of *June* 1660. by vertue or colour of any Authority from the late King or the King that now is, or by any Authority from both or either Houſes of Paliament, the Keepers of the Liberties of *England*, or Lord Protector ſo called, or from any deriving or pretending to derive Authority from them or any of them, are pardoned.

XIII. All perſons adviſing and abetting the ſame, they, their Heirs, Executors and Adminiſtrators are pardoned and diſcharged: and all Judgments, Penalties, and Forfeitures, all Grants thereupon made, and Eſtates derived under them, are from henceforth void: and all perſons, Bodies Politick and Corporate are hereby reſtored to all things forfeited, which to the King do or ſhall appertain by reaſon of any Offence before mentioned: All Actions for any thing done by reaſon of the late Wars, and all Judgments, and Executions thereupon had before the 1*ſt* of *May*, 1658. ſhall be diſcharged, but not to reſtore or account for any thing already received, or taken on ſuch Execution.

XIV. All Actions for any thing done by vertue or colour of any Authority from the late or preſent King, or of any Ordinance of both or either Houſes of Parliament, or perſons ſitting as a Parliament after the death of King *Charles* the Firſt, by the Authority of the Keepers of the Liberties of *England*, or by any Ordinance by either of the late Protectors and Council, or by Authority derived from them or any of them: all demands of Rent and mean Profits of Land received by any of the Authorities or pretended Authorities aforeſaid, ſhall be diſcharged.

XV. All

XV. All the Subjects of *England* and *Ireland* and other the Kings Dominions, their Heirs, Executors, *&c.* and all Bodies in any wise corporated, are acquitted and discharged against the King, *&c.* from all Offences, all Sums of Mony, Intrusions, Mean Profits, Wardships, *&c.* Arrerages of Rents (other than those due from the late Farmers of the Excise or Customs) and generally of and from all things which can be by the King pardoned before and unto the 24*th* of *June* 1660.

XVI. If any Officer or Clerk of any of the Kings Courts within this Realm make out any Process or Precept whereby any before rehearsed shall be summoned or grieved for any thing discharged by this Act: or if any Sheriff or other Officer levy or with-hold from any person any thing discharged by this Act, they shall pay to the party grieved treble damages and costs of suit, and forfeit 10 *l.* to the King, and all such Process, *&c.* shall be void.

XVII. Except Murders not pardoned in the first Clause; and except Piracy and Robbery not done in relation to the differences aforesaid, and all abetting such Offenders and receiving them or goods so taken; and except Buggery with Man or Beast, Rape, wilful taking away or marrying any Maid or Widow against her will, or without assent of her Parents, *&c.* and all abetting, *&c.* and except all offences against 1 *Jac. c.* 11. concerning marrying more Wives or Husbands, till the former be dead: and all Offences of Invocation, Witchcraft, *&c.* and all procuring and abetting, *&c.* and except accounts of persons appointed by any the Authorities aforesaid, to be Treasurers, Receivers, Farmers or Collectors other than Sub-Collectors of the several Parishes, Towns, Hamlets, for their Receipts before the 24*th* of *June* 1659.

XVIII. But the Heirs, Executors, or Ter-Tenants of the Lands of such Accountants now deceased, shall not be liable to account, except for Sums due upon their Accounts already stated: and no Accountant as abovesaid, now living shall account for Mony disbursed, *&c.* by vertue or colour of any order, *&c.* of any the Authorities aforesaid, or by their direction. But no person shall be called to account for any the matters in this Exception, after the 24*th* of *June* 1662.

XIX. If persons accountable for Monies received since the 1st of *Jan.* 1642. and before the 30*th* of *Jan.* 1648, have been robbed or plundred of the Monies in their hands, or any notes or Books of Receipts or Acquittances touching their discharge, their Oaths shall be a discharge for so much: and the Oath of every Accountant between 1642. and 1648. of what they paid to any publick use, shall be a good Discharge: and, except all the First-fruits and Tenths in the hands of any Receiver.

XX. Every Judgment of discharge in the Exchequer since 1648. shall be allowed: except Accounts of Churches and Vicarages in *Wales* and *Monmouthshire*, and Judgments of discharge thereupon.

XXI. Ex-

XXI. Except Bribery, Perjury and Subornation thereof, Forgery, Counterfeiting Deeds or Examinations of Witneſſes, and giving the ſame in Evidence, or compelling and procuring ſuch Counterfeiting, *&c.* and except all detaining, imbezelling and purloining Mony, Chattels or Jewels of the late King, Queen, Prince, or any the Kings, and Queens Children: other than ſhipping and Ammunition, and Goods diſpoſed of in ſatisfaction of their Debts: and except all Iſſues, Fines and Amerciaments received by any Officer, not accounted for; and except all Offences committed by any Jeſuit or *Romiſh* Prieſt againſt an Act of 27 *Eliz.* againſt Jeſuits, Seminary Prieſts and other diſobedient Perſons.

XXII. This Act ſhall not pardon Outlawries upon a *Cap. ad ſatisfac.* till the party outlawed agree with him at whoſe Suit he was outlawed.

XXIII. Except all proceedings depending concerning Highways and Iſſues thereon returned ſince the 30*th* of *Jan.* 1648. and except all Securities given ſince the 25*th.* of *May* 1640. by any Accountant in the Exchequer, and except all Recognizances and Obligations not forfeited.

XXIV. Except all perſons who had a hand in the Rebellion in *Ireland*, mentioned in the Act of 16 *Car.* 1. other than ſuch as by another Act intended to be paſſed ſhall be pardoned: nor ſhall this Act enure to reſtore to any (other than the Marqueſs of *Ormond* and other the *Proteſtants* of *Ireland*, and ſuch as by an Act intended to be paſſed, ſhall be named) any Eſtate, *&c.* diſpoſed of by both or either Houſes of Parliament, or any convention aſſuming ſuch Name, or any deriving Authority from them.

XXV. All pardoned by this Act may plead the general Iſſue, and give this Act in Evidence.

XXVI. Except Thefts and other Felonies ſince the 4*th* of *May* 1659.

XXVII. This Act ſhall not diſcharge any from making ſuch Reſtitution, as by a pretended Act, entitled, *An Act for repeal of two Acts of Sequeſtration, is required to be made:* nor any imployed by private Order to receive Mony for the Kings Service or Supply ſince 1648. nor to diſcharge any for Monies received for the Tax of Decimation, or on the account of any Militia ſeiſed or acted in, ſince 1648. and not accounted for.

XXVIII. If any the Kings Menial Servants, or any having inſtructions from him during the time of ſuch relation to him, traiterouſly held Intelligence with any Prince or State, or any Uſurping Supream Authority in any the Kings Dominions, their Miniſters or Agents, without the Kings leave, ſuch perſons as to ſuch Offence ſhall be excepted out of this Act, ſo as they be outlawed or convicted thereof in two Years time from the 25*th* of *April*, 1660.

XXIX. This Act not to diſcharge any Sums of Mony due for Exciſe, whereof Entries have been made in the Cuſtom-Houſe,

which have grown due since the 25th of *March* 1658. or any mony due to the Farmers of Excise since the 25th of *March* 1657.

XXX. Except out of this Act *J. L. W. S.* Sir *H. W. V. W. T. H. E. W. W. H. J. P. H. M. J. B. G. M. E. L.* Sir *M. L. R. T. O. R. K. L. A. S. J. O. J. H. W. G. C. H. T. C. J. C. J. J. M. C. H. S. G. C. T. W. E. H. T. S. W. C. J. D. N. L. V. P. A. G. J. D. G. F. S. M. J. T. P. T. D. B. T. W. J. C. A. B. E. D. W. H. H. P. F. H. D. A.* and those two persons who appeared disguised on the Scaffold erected before *Whitehall* on the 30th of *Jan. Anno Dom.* 1648. but the said *O. R. A. G. E. H. H. S. H. M.* Sir *H. W. R. T. G. F. J. T. T. W. S. M. W. H. J. P. P. T. R. L. G. M. V. P. T. W.* and *J. D.* having rendred themselves according to the Proclamation of the sixth of *June*, 1660. if they shall be attainted, yet shall not be executed but by Act of Parliament.

XXXI. Except also *O. C. H. J. J. B.* and *T. P.* deceased.

XXXII. This Act shall not discharge the Lands or Goods of *O. C. H. J. J. B. T. P. J. E.* Sir *J. D.* Sir *T. M. W. P. J. B.* Sir *W. C. R. D. F. A. P. P. J. M. J. A. H. E.* Sir *G. N. J. V. T. A. A. S. T. H. J. F. T. H.* Sir *J. B.* being all of them deceased, from such Penalties and Forfeitures, as by an Act of Parliament intended to be passed shall be declared.

XXXIII. And except out of this Act *W.* Lord *M. J. C.* Sir *H. M.* Sir *J. H. J. P.* and *R. W.* who did act and sit in that Traiterous Assembly which proceeded against the Kings Life, and are reserved to such pains and penalties not extending to Life, as by another Act shall be imposed on them. Except also Sir *A. H.* for such Pains and Penalties only, not extending to Life, as by an Act to be passed for that purpose shall be imposed. *J. H.* Esq; and *F. L.* shall be uncapable of any Place or Office. Sir *H. V.* and *J. L.* excepted out of this Act. If *W. L. W. B. O. S. J. I. W. S. J. D. J. B. C. P. R. K. C. F. J. P. R. D. R. C. P. N. J. G.* Sir *G. P. T. L.* and *R. C.* shall accept or exercise any Office or publick Employment in *England*, *Wales*, or Town of *Barwick*, they shall stand as if they were totally excepted out of this Act.

XXXIV. All who since the 5th of *December* 1648. gave Sentence of death in any of the late High-Courts of Justice, or signed the Warrant for Execution of any there condemned, (except *R. J.* and *M. Y.*) shall be uncapable of bearing any Office, or serving as a Member of any Parliament.

XXXV. The Trustees appointed in a pretended Act 1649. concerning Tythes impropriate, Oblations, &c. shall account for all such profits received and not disbursed according to that or some other Act in 1650, 1654, 1656. Receivers under them, and Occupiers of the Premisses without agreement to pay Rent, that have made no account or satisfaction to the Trustees, or with such agreement, and have not paid it, shall account for so much as is unaccounted for, or unsatisfied: such Accounts to be made as in Parliament shall be directed.

XXXVI. This

XXXVI. This Act not to pardon Bonds in the late Kings name before *May* 1642. for securing the Debt of any Servant or Receiver of the Revenue, not paid, to or by order of some Authority. The Estates of such who ought to have been contributary to the payment of 150000 *l.* accepted by order of the House of Commons of the 26*th* of *May* 1641. as a Composition from the Farmers of several Customs voted to be illegally taken, shall be chargeable with the payment of their proportions, in whose possession soever, Purchasers, *bona fide*, and upon valuable considerations excepted, as if this Act had not been.

XXXVII. Except out of this Act Mony due for Excise of Beer, Ale, and other In-land Commodities since the 24*th* of *June* 1659. and Mony due from Souldiers for free Quarter to any Subjects since the 2*d* of *July*, 1659. or borrowed by any Officers to prevent free Quarter.

XXXVIII. No conveyance nor limitation of any use of Lands, *&c.* not being the Lands of the King, Queen, Prince, Archbishops, Bishops, Deans, Deacons and Chapters, nor sold for Delinquency of any Persons by vertue of any Order since the first of *Jan.* 1641. nor any Judgment or Recognizance made before the 29*th* of *Sept.* 1659. by any in this Act excepted by name, or their Heirs, or any claiming under them, (other than their Wives, Children and Heirs) for Mony *bona fide* paid or lent, nor any conveyance made before the 25*th* of *April* 1660. to them in trust for any other not excepted, shall be impeached or made void.

XXXIX. This Act shall not indemnifie any who have entred into Fabrick Lands, or possess themselves of any Revenues given for repairs of any Church, or have converted the Plate or Utensils and Materials of any Church to their own use, in respect of the Crimes only. *Confirmed* 13. *Car.* 2. *cap.* 7.

XL. **Stat.** 25 *Car.* 2. *cap.* 5. All the Kings Subjects of *England*, *Wales* and the Town of *Berwick*, all Bodies Corporated, Cities, Burroughs, Shires, *&c.* are pardoned and discharged against the King, *&c.* of all Treasons, Felonies, Misprision of Treason, treasonable or seditious Words or Libels, Misprisions of Felony, Unlawful Meetings or Conventicles, any Offences whereby any may be charged with a Premunire: Coynings of Farthings, Half-pence, Pence, Two-Pence, and such like small Mony without Authority, and uterings thereof, and generally of all Offences, Contempts, Penalties and Sums of Mony, and all things, Causes, Judgments and Executions not hereafter excepted, which can by the King be pardoned before the 25*th* of *May*, 1673.

XLI. Grants by persons having incurred any such Forfeiture and hereby restored, and Executions against them, shall be of such force as if no such Forfeiture had been.

XLII. Any person may plead this Act without Fee or other thing paying for Writing, Entry of the Judgment, or other cause concerning such Plea, Writing or Entry, but only 16 *d.* to the

Clerk that ſhall enter ſuch Plea, Matter or Judgment for the parties diſcharge.

XLIII. Officers of any of his Majeſties Courts that ſhall make out any Writ, Proceſs, *&c.* for any thing diſcharged by this Act: Sheriffs, Eſchеators, Bayliffs or other Officers that ſhall levy or with-hold any thing ſo diſcharged, being thereof convicted, ſhall pay treble Damages to the party grieved, and coſt of Suit, and forfeit 10 *l.* to the King; and ſuch Writs, Proceſs, *&c.* to be void.

XLIV. Excepted out of this Act Treaſons and other Offences againſt the Kings Royal Perſon, all Treaſons committed out of the Realm, all Offences in forging and counterfeiting the Great Seal, Privy Seal, Sign Manuel, or Privy Signet, or Current Mony, or in diminiſhing the ſaid Mony, all Miſpriſions and Concealments of the Treaſons before excepted, and all abetting, *&c.*

XLV. Excepted alſo all Murders, Petty Treaſons, wilful Poyſonings, and all Acceſſaries before.

XLVI. Excepted all Piracies, and procuring and abetting the Offenders, or comforting and receiving them or the Goods ſo taken. Except all Burglaries in dwelling Houſes, and Acceſſaries before. Except Buggery with Man or Beaſt, and Rapes of Women. Excepted all wilful taking away or marrying any Maid, Widow Damſel againſt her Will or Aſſent of Parents, or ſuch as have her in cuſtody, aiding, comforting or abetting the ſame.

XLVII. Except Perjury and Subordination of Witneſſes, Counterfeiting Deeds or Writings, or Examinations of Witneſſes, tending to bring any perſon in danger of Life, procuring and Counſelling the ſame.

XLVIII. Except Forfeitures and other Profits grown due or that ſhall grow due to the King, for which any Action, Bill, Plaint, or Information, within ſix years before the 13*th* of *Febr.* 1672. have been commenced in any Court at *Weſtminſter*, other than for coyning ſuch ſmall Mony as aforeſaid.

XLIX. Except all Proceedings concerning High-ways and Bridges, and Iſſues returned thereupon ſince the 25 of *March*, 1663.

L. Except all Offences in imbezelling or purloyning the Kings Goods, Monies, Chattels, Jewels, Armour, Ammunition, Stores, Naval Proviſions, Shipping, Ordnance or other Habiliments of War.

LI. Except all the Titles and Forfeitures grown due to the King for not performing any Covenant or Condition.

LII. Except all Offences of Inceſt, Simony, Dilapidations for which any Suit is or was depending before the firſt day of this Seſſion of Parliament.

LIII. Except all payments out of any Eccleſiaſtical Promotion or Benefice. Except all Duties of Cuſtom or Subſidie, Exciſe, Hearth-Mony, Impoſition upon Wines and other Liquors, on Proceedings at Law, Duties ariſing by the Wine-Licenſes or the Poſt-Office, or other Tax, Aſſeſsment, Duty or Impoſition, due

to

to the King, and all Concealments thereof, and Forfeitures arising thereby, or by non-payment: Corruptions of Officers concerning the ſame, &c.

LIV. Except all Debts, Accounts and Securities excepted out of the Act of Oblivion.

LV. Except all taking from the King Goods forfeited by reaſon of any Treaſon, Petty-Treaſon, Murder or Felony, and the profits of any Lands, or Hereditaments of Traitors, Murtherers, Felons, or Clerks attainted, or of Lands or Hereditaments of the Poſſeſſions of any Biſhoprick, the Temporalities whereof upon the ſaid 25th of *March* 1663. or ſince, were, or ought to have been in the Kings Hands. Except Arrearages of Rent due from any Farmer of any part of the Revenue, and Arrears of Fee-farm and other Rents. Except Accounts of Collectors, Commiſſioners, &c. of any Subſidy, Cuſtom, Tunnage and Poundage, Additional Duty, Prize-Goods, or other things grown due ſince the 25th of *March*, 1663. and all Accounts for Receipts or other Charges ſince the ſaid 25th of *March*: and all Arrears of Accounts and untrue Accounts made ſince the ſaid 25th of *March*.

LVI. Except Securities entred into the Accountants in the Exchequer, their Sureties and Accounts, and all Recognizances and Obligations for Payment of Mony.

LVII. This Act ſhall diſcharge no Recognizance or Obligation not forfeited, nor any forfeited, whereby the Farmers of any part of the Revenue ought to receive benefit, nor any Debt due by Specialty to any indebted to the King, and ſeized in Aid of the Kings Debt; nor any Debt whereupon any Enſtalment or Seizure hath been made, on which any thing is, or (ſince the ſaid 25th of *March*) hath been anſwered to the King; nor any Penalties or Sums accrued to the King by reaſon of any Statute, and ſince the ſaid 25th of *March* converted into a Debt, by Judgment, Decree or Agreement: or that have been enſtalled and any ſeizure made for the ſame, and upon ſuch Seizure, &c. any thing anſwered to the King ſince the 25th of *March*.

LVIII. Yet Obligations and Recognizances forfeited ſince the ſaid 25th of *March* for non-appearance, not keeping the Peace, or not being of the good behaviour are forfeited.

LIX. Excepted alſo Iſſues, Fines and Amerciaments loſt or aſſeſſed ſince the 25th of *March*, 1663. being totted or received to the Kings Uſe before the laſt Day of this Seſſion of Parliament.

LX. Except all Iſſues, Fines and Amerciaments taxed or aſſeſſed ſince the ſaid 25th of *March*, affeer'd or eſtreated above the Sum of 6 *l.* And all Iſſues, &c. affeer'd or entred in any Court of Record at *Weſtminſter*, within a Year before the firſt day of this Seſſion of Parliament. Yet all other Fines, as well as *pro licentia concordandi*, taxed or eſtreated before that time, and all Iſſues, &c. extending to or under 6 *l.* whether eſtreated or not, or turned

into Debt or not, and not being totted or received by any Officer to the Kings Uſe before the firſt day of this Parliament, are pardoned hereby.

LXI. Yet Eſtreats of Fines, *&c.* pardoned and eſtreated, and remaining in the Sheriffs Hands, ſhall be orderly charged in the Pipe-Office, that the King may be truly anſwered ſuch as are not pardoned. Yet Sheriffs and other Accountants ſhall upon petition have Allowance of ſuch as are pardoned, without paying any Fees.

LXII. This Act ſhall not extend to any excepted by Name out of the Act of Oblivion, nor thoſe two perſons that appear'd upon the Scaffold diſguiſed when the late King was murdered: Nor to reſtore any Capacity to take any Office or Imployment to perſons diſabled by that Act: Nor to give Benefit to any, who if after the firſt day of *Septem.* 1660. they exerciſe any Office or publick Employment, are by the ſaid Act to be as if they were excepted out of it by Name. Yet any perſon ſo diſabled may be chargeable with the Office of Sheriff of any County.

LXIII. Except Perſons attainted by Act of Parliament or otherwiſe for Rebellion, levying War, or any ſuch Conſpiracy within this Realm or other the Kings Dominions, and all perſons attainted or outlawed for any Treaſon, Petit-Treaſon, Murder, wilful Poyſoning, or Burglary.

LXIV. Except all perſons that by any Act of this Parliament are by name exiled, or made liable to other Penalties.

LXV. Except all perſons, who after Conviction or Attainder for any Felony have deſired to be tranſported.

LXVI. Except all perſons, who being excepted out of the *Act of Oblivion*, have any Pains or Penalties impoſed on them by any ſubſequent Act.

LXVII. Except all that on the firſt day of this Seſſion of Parliament were in Priſon in the *Tower*, the Priſon of the *Marſhalſea*, of the *Fleet*, of the *Gatehouſe*, or elſewhere, or otherwiſe reſtrained by expreſs direction of his Majeſty or Privy Council.

LXVIII. Officers of the Kings Courts may award *Cap. utlag.* againſt ſuch perſons outlawed as are pardoned by this Act, at the Plaintiffs Suit, and ſuch perſons ſhall ſue a *Scire Fac.* againſt the Parties at whoſe Suit, *&c.* before this Pardon be allowed them.

LXIX. This Act ſhall not extend to perſons outlawed upon a *Ca. ſa.* till Satisfaction or Agreement with the Party at whoſe Suit.

LXX. Perſons hereby Pardoned may plead the general Iſſue and give this Act in Evidence.

LXXI. This Act ſhall diſcharge all the Premiſſes intended to be pardoned, as well againſt all claiming the ſame under Letters Patents from the King, *&c.* as againſt the King himſelf.

☞ Parliament.

☞ Parliament.

I. The Mirrour of Juſtices, *Cap.* 1, *Sect.* 3, *Anno Alfredi primi Monarchæ, Anno Domini.* Parliaments ſhall be held twice a Year, and oftner if need require. *But note, that this was by the King and Lords only, and in time of Peace.*

II. Stat. 4 *E.* 3. 14. A Parliament ſhall be holden once a Year, and oftner if need be.

III. Stat. 36 *E.* 3. 10. A Parliament ſhall be holden every Year.

IV. Stat. 5 *R.* 2. *Stat.* 2. 4. Every Perſon and Comminalty having Summons of Parliament ſhall come thither, in pain to be amerced, or otherwiſe puniſhed: and if the Sheriff doth not ſummon them, he ſhall be likewiſe amerced, or otherwiſe puniſhed, as hath been uſed in times paſt.

V. Stat. 12 *R.* 2. 12. The levying of the Expences of Knights coming to Parliament ſhall be made as in times paſt. And if any Lord or other have purchaſed Lands or other Poſſeſſions that were wont to be contributary to ſuch Expences, they ſhall ſtill continue to be ſo, notwithſtanding ſuch purchaſe.

VI. Stat. 7 *H.* 4. 15. The Election of the Knights of the Shires ſhall be as followeth, *viz.* At the next County, after the delivery of the Writ, Proclamation ſhall be made in full County of the day and place of the Parliament, and that all there preſent, as well Suitors ſummoned as otherwiſe, ſhall attend to the Election of the ſaid Knights: and then in full County a free and indifferent Election ſhall be made, notwithſtanding any Requeſt or Command to the contrary.

VII. After ſuch Choice, the Names of the Parties ſo choſen (be they preſent or abſent) ſhall be written in an Indenture under the Seals of all them that did chuſe them; which Indenture, ſo ſealed, and tacked to the ſaid Writ, ſhall be the Sheriffs Retorn thereof touching the Knights of the Shires: and in ſuch Writs this Clauſe ſhall be hereafter put, *Et Electionem tuam in pleno Comitatu tuo factam diſtincte & aperte ſub Sigillo tuo, & Sigillis eorum qui electioni illi interfuerunt, nobis in Cancellaria noſtra ad diem & locum brevi contentum certifices indilate.*

VIII. Stat. 11 *H.* 4. 1. Juſtices of Aſſize ſhall have power to inquire in their Seſſions of Retorns made by the Sheriffs contrary to the Statute of 7 *H.* 4. 15. And if it be found by Inqueſt that any Sheriff hath made any ſuch Retorn, he ſhall forfeit 100 *l.* to the King, and the Knights ſo unduly retorned ſhall loſe their Wages.

IX. Stat. 1 *H.* 5. 1. All former Statutes made for the Election of Knights of the Shire are confirmed.

X. They ſhall be reſiant in the County for which they are choſen the day of the date of the Writ of Summons; ſo alſo ſhall they

be that chuſe them. Alſo Citizens and Burgeſſes ſhall be reſiant in and free of the Cities and Burroughs for which they are choſen.

XI. Stat. 6 *H.* 6. 4. Knights of the Shires and Sheriffs againſt whom any Inqueſt of Office for undue Elections are found before the Juſtices of Aſſize ſhall have their Anſwer, and traverſe thereunto, and ſhall not be damnified thereby, until they be duly convict thereof according to Law.

XII. Stat. 8 *R.* 6. 1. The Clergy called to the Convocation by the Kings Writ, together with their Servants and Familiars, ſhall fully uſe and enjoy ſuch liberty or defence in coming, tarrying and returning, as the Great Men and Commonalty of the Realm called to Parliament do or ought to enjoy.

XIII. Stat. 8 *H.* 6. 7. The Election of Knights of the Shire ſhall be made by the more voices of people dwelling in the Counties, having each of them Land or Tenements to the yearly value of 40 *s.* beſides Repriſe. Alſo the Knights ſo choſen ſhall be reſiant within the ſame Counties.

XIV. The Sheriff hath power to examine upon Oath the Chuſers how much they may expend by the Year.

XV. If the Sheriff be found by Inqueſt, and alſo attainted before Juſtices of Aſſize, to have done contrary to this Act, he ſhall forfeit 100 *l.* to the King, and ſuffer a Years Impriſonment without Bail; and in that Caſe the Knights ſo returned ſhall loſe their Wages.

XVI. He that cannot expend 40 *s. per annum* ſhall have no voice in the Election of Knights for the Parliament: and hereafter in every Writ iſſued out for that purpoſe, mention ſhall be made of this Ordinance.

XVII. Stat. 10 *H.* 6. 2. A Chuſer of Knights of Parliament muſt be reſident, and have Freehold with 40 *s. per annum*, beſides Repriſes, within the ſame County.

XVIII. Stat. 23 *H.* 6. 11. The Sheriff in the next County-Court after he ſhall have received the Writ for aſſeſſing the Wages of the Knights of Parliament, ſhall make Proclamation, that the Coroners, Chief Conſtables, Bailiffs, and all others (that will) appear at the next County-Court, to aſſeſs the ſame Wages, at which laſt County the Sheriff and the other Officers ſhall be preſent in proper perſon, in pain that every one that makes Default ſhall forfeit 40 *s.* And then the Sheriff ſhall in full County aſſeſs every Hundred by it ſelf, and every Town in each Hundred by it ſelf: ſo as the Sum aſſeſſed upon all the Hundreds exceeds not the entire Charge of the County; nor that aſſeſſed upon all the Towns in each Hundred exceeds not the Sum charged upon the Hundred in which they be.

XIX. The Sheriff or other Officer which levies more than is ſo aſſeſſed, ſhall forfeit 20 *l.* to the King, and 10 *l.* to the Proſecutor: For the Recovery of which 10 *l.* the ſaid Proſecutor ſhall have a *Scire facias*; and if the Defendant make default, or appear

and

and is afterward convict, he ſhall recover the ſaid 10 *l.* to his own uſe, (over and above the ſaid 20 *l.*) and beſides treble Damages for his Coſts of Suit.

XX. The Sheriff ſhall levy the ſaid Aſſeſſments as ſpeedily as may be after they are ſo aſſeſſed, and ſhall deliver them to the Knights.

XXI. Juſtices of both Benches, Juſtices of Aſſize, Goal-delivery and Peace, have power to hear and determine theſe abuſes, as well at the Suit of the King, as of the party.

XXII. This Aſſeſſment ſhall not be levied but only in places where it hath been formerly levied: and hereafter in every Writ for the levying of ſuch Wages this Act ſhall be inſerted.

XXIII. Stat. 23 *H.* 6. 15. The Statutes of 1 *H.* 5. 1. and 8 *H.* 6. 7. ſhall be kept in all points.

XXIV. The Sheriff, after the Receipt of the Writ, ſhall deliver a Precept under his Seal to every Mayor and Bayliff, or Bayliffs or Bayliff where no Mayor is, of the Cities and Burroughs within his County, reciting the Writ, and commanding them, if it be a City, to chuſe, by the Citizens of the ſame City, Citizens, and if a Burrough, Burgeſſes, to come to the Parliament: and ſuch Head-Officers ſhall lawfully return ſuch Precept to the ſame Sheriff by Indenture betwixt them of ſuch Elections, and the Names of the Citizens and Burgeſſes ſo choſen, and thereupon the Sheriff ſhall make a good return of every ſuch Writ, and alſo of every ſuch Return made by the ſaid Head-Officers.

XXV. If the Sheriff aforeſaid do contrary to this Act, or any other formerly made for the Election of Knights, Citizens and Burgeſſes, the Sheriff ſhall incur the pain contained in the ſaid Statute of 8 *H.* 6. 7. and beſides ſhall forfeit to the perſon ſo choſen, and not duly returned, 100 *l.* more, to be recovered by Action of Debt by the ſaid perſon ſo choſen againſt the ſaid Sheriff, his Executors and Adminiſtrators, or (in his default) by any other Proſecutor; in which Action no Eſſoin, *&c.* ſhall be allowed. And if ſuch Head-Officers ſhall make a falſe Return, they ſhall forfeit 40 *l.* to the King, and 40 *l.* more to the perſon ſo choſen and not returned, to be recovered by ſuch Perſon, or other Proſecutor, in manner aforeſaid.

XXVI. The Sheriff that maketh not due Election of Knights, betwixt the Hours of eight and eleven in the Forenoon, and a good and true Return in manner aforeſaid, ſhall incur the pain of 100 *l.* to the King, and as much to any that will ſue for the ſame.

XXVII. The party grieved ſhall commence his Action within three Months after the beginning of the Parliament; and, in his default, the Proſecutor may then take it.

XXVIII. If any Knight, Citizen, or Burgeſs returned by the Sheriff, be put out, and another put in his place, the perſon ſo put in (if he take the place upon him) ſhall forfeit 100 *l.* to the King,

and

and ſo much to the perſon ſo put out, who ſhall have an Action of Debt for the ſame, if he commence his Suit within three months after the beginning of the Parliament.

XXIX. The Knights of the Shires ſhall be notable Knights of the ſame County for which they are choſen, or elſe notable Eſquires or Gentlemen born in the ſame County, and ſuch as are able to be Knights: but none ſhall be ſuch a Knight which ſtandeth in the Degree of a Yeoman, or under.

XXX. Stat. 6 H. 8. 16. No Knight, Citizen, Burgeſs, or Baron of any of the *Cinque*-Ports, ſhall depart from the Parliament without the Licence of the Speaker and Commons in Parliament aſſembled, to be entred upon Record in the Clerk of the Parliaments Book, in pain to loſe their Wages.

XXXI. Stat. 33 H. 8. 21. The Kings Royal Aſſent by his Letters Patents under the Great Seal, and ſigned by his Hand, and notified in his abſence to the Lords and Commons aſſembled in the Upper Houſe, is, and ever was, of as good Strength and Force as if the King were perſonally preſent, and had publickly aſſented thereunto.

XXXII. Stat. 35 H. 8. 11. Whereas Knights and Burgeſſes of Parliament in *England* and *Wales* have uſed to have allowed them, *viz.* The Knights 4 *s.* and the Burgeſſes 2 *s.* a day, or more, during the Parliaments, and their reaſonable Time of coming to and returning from the Parliament, together with their Coſts of Writs, and other ordinary Fees and Charges: by this Statute it is ordained, that the Sheriffs of all the Twelve Shires in *Wales* and the County of *Monmouth* ſhall have power to levy the ſaid Fees of the Inhabitants of thoſe Shires and Counties, and ſhall pay them to the Knights in two months after the ſaid Knights ſhall have delivered unto them their Writs *De Solutione feodi Militis Parliamenti*, in pain to forfeit twenty pounds to be recovered by Bill, Plaint, *&c.* and to be divided betwixt the King and the Proſecutors; and for every month that ſuch default is made after the ſaid two months, twenty pounds more, to be levied as aforeſaid. The Head-Officers alſo of the Cities and Burroughs in the ſaid twelve Shires and County, ſhall levy and pay their Burgeſſes Wages and Fees within the like time after the Writs *De Solutione feodi Burgenſ. Parliament.* delivered unto them, upon the like pains, to be levied of the Goods and Chattels of ſuch Head-Officers.

XXXIII. The Inhabitants of the Cities and Burroughs in the ſaid Shires and County, which, having no Burgeſſes of their own, uſe to contribute towards the Wages of the Burgeſſes of the Shire Towns, ſhall have Warning by Proclamation, or otherwiſe, from the Head-Officers of the ſaid Towns, to come and give their Voices at the Electing of the Burgeſſes of ſuch Shire-Towns.

XXXIV. Two

XXXIV. Two Juſtices of Peace in each of the ſaid Shires and Counties have power to tax every City and Burrough in the ſeveral Counties where they inhabit reſpectively, towards the Wages of the Burgeſſes within the Shire-Towns; which Taxes ſhall be again rated upon the Inhabitants of each ſuch City and Burrough by four or ſix diſcreet and ſubſtantial Burgeſſes there, and then levied and paid by the Head-Officers unto the Burgeſſes of Parliament for the ſaid Shire-Towns, in manner and form aforeſaid, and upon like pains.

XXXV. Stat. 12 *Car.* 2. *cap.* 1. Declared that the Parliament begun the 3*d* of *November* 16 *Car.* 1. is diſſolved, and that the Lords and Commons now ſitting are the Two Houſes of Parliament, notwithſtanding any want of the Kings Writs of Summons, or any other defect.

XXXVI. Stat. 13 *Car.* 2. *cap.* 1. They that ſhall adviſedly publiſh or affirm, that the Parliament begun at *Weſtminſter* the 3*d* of *November* 1640. is not yet diſſolved, or that there lies any Obligation upon them or any other from any Engagement whatſoever to endeavour a Change in Church or State, or that both or either Houſes of Parliament have a Legiſlative power without the King, or words to the ſame effect, ſhall incur the Penalty of a *Præmunire* mentioned in a Statute made 16 *R.* 2. It is hereby alſo declared, That the Solemn League and Covenant was an unlawful Oath, and impoſed againſt the Laws of this Kingdom. All Ordinances of both or either Houſes of Parliament for impoſing Oaths, Covenants or Engagements, levying Taxes, and raiſing Forces and Arms without the Royal Aſſent, were void, but may be made uſe of according to the Act of Indempnity. 12 *Car.* 2. *cap.* 11.

XXXVII. None to be proſecuted for theſe Offences but by Order of the King under the Sign Manual, or of the Council-Table, to ſome of the Kings Council learned, nor to incur the Penalty aforeſaid, unleſs proſecuted within ſix months after the Offence committed, and indicted within three months after ſuch proſecution.

XXXVIII. Offences within this Act muſt be proved by two Witneſſes, who at the Offenders Arraignment muſt be brought before him Face to Face.

XXXIX. A Peer convicted ſhall be diſabled during his life to ſit in Parliament, unleſs the King pardon him. His Pardon ſhall reſtore Peers and Commoners, as if they had never been convicted.

XL. Stat. 16 *Car.* 2. *Cap.* 1. The ſitting and holding of Parliaments ſhall not be intermitted or diſcontinued above three years.

XLI. Stat. 25 *Car.* 2. *Cap.* 9. An Act to enable the County Palatine of *Durham* to ſend Knights and Burgeſſes to ſerve in Parliament, *vid. tit. Durham Sect.* 14.

XLII. Stat.

XLII. Stat. 30 *Car.* 2. *Cap.* 1. No Peer ſhall vote, make Proxy or ſit during any Debate in the Houſe of Peers; nor any Member of the Houſe of Commons vote or ſit there after their Speaker choſen, till they firſt take the Oaths of Allegiance and Supremacy and ſubſcribe and repeat this Declaration between the Hours of nine in the morning and four in the afternoon at the Tables in the middle of the ſaid Houſes in a full Houſe, in ſuch Order as each Houſe is called over by, *viz.*

I A. B. do ſolemnly and ſincerely in the preſence of God, profeſs, teſtifie and declare, that I do believe that in the Sacrament of the Lords Supper, there is not any Tranſubſtantiation of the Elements of Bread and wine into the Body and Blood of Chriſt, at or after the Conſecration thereof, by any perſon whatſoever, and that the Invocation or Adoration of the Virgin Mary *or any other Saint, and the Sacrifice of the Maſs, as they are now uſed in the Church of* Rome, *are Superſtitious and Idolatrous. And I do ſolemnly in the preſence of God profeſs, teſtifie and declare, that I do make this Declaration and every part thereof in the plain and ordinary ſence of the words read unto me, as they are commonly underſtood by* Engliſh *Proteſtants, without any Evaſion, Equivocation or Mental Reſervation whatſoever, and without any Diſpenſation already granted me for this purpoſe by the Pope, or any Authority or Perſon whatſoever, or without any hope of any ſuch Diſpenſation from any Perſon or Authority whatſoever, or without thinking that I am or can be acquitted before God and Man, or abſolved of this Declaration or any part thereof, although the Pope or any other Perſon or Perſons or Power whatſoever ſhould diſpenſe with or annul the ſame, or declare that it was null and void from the beginning.*

XLIII. Every Peer of this Realm and Member of the Houſe of Peers, and every Peer of *Scotland* or *Ireland* of twenty one years of Age or upwards, and every Member of the Houſe of Commons not having taken the ſaid Oaths, and made and ſubſcribed the ſaid Declaration, and all perſons convict of Recuſancy, that ſhall remain in the Kings or Queens preſence, or come into any Houſe where they reſide, ſhall incur and ſuffer the penalties in this Act mention'd, unleſs ſuch perſon ſhall in the next Term after take the ſaid Oath and make the ſaid Declaration in the Court of *Chancery* between the Hours of nine and twelve.

XLIV. Peers and Members of the Houſe of Commons offending againſt this Act ſhall be adjudged *Popiſh* Recuſants Convict, and be diſabled to hold any Office in *England* or *Ireland*, or any Iſlands or Plantations to them belonging, or to ſit in Parliament, or make a Proxy in the Houſe of Peers, or to proſecute any ſuit, to be Guardian, Executor or Adminiſtrator, or to take any Legacy or Deed of Gift: and for every Offence ſhall forfeit 500 *l.* to him that will ſue for the ſame.

XLV. The

XLV. The House of Peers and House of Commons may at any time cause all or any Members of their respective Houses to take the said Oaths, and make and subscribe the said Declaration: and every Peer or Member of the House of Commons presuming to sit in either House, without taking the said Oaths and subscribing the said Declaration, according to such Order, shall be disabled to sit there during that Parliament, or to make a Proxy in the House of Peers.

XLVI. The place of every Member of the House of Commons disabled by this Act to sit there, is hereby declared to be void, and a new Writ shall issue out of *Chancery* by Warrant from the Speaker and Order of the House of Commons for a new Election.

XLVII. The Kings or Queens sworn Servants not having before the first day of *December* 1678. taken the Oaths and made and subscribed the Declaration contained in the Act of 25 *Car.* 2. *cap.* 2. shall take the Oaths and make the Declaration aforesaid in the Court of *Chancery*, in the next Term after the said first day of *December*, or after they shall be sworn Servants; or in case of sickness, proved upon Oath and allowed under the Hand of the Lord Chancellor or Keeper, then in the next Term after such impediment removed. Persons neglecting to do the same, and yet coming into or remaining in the presence of any King or Queen of this Realm, or coming into any House where they reside, shall suffer all the Penalties and Disabilities of this Act.

XLVIII. This Act shall not extend to any Natural born Subject of the King of *Portugal*, who is or shall be the Queens Servant, not exceeding nine at once: nor to such Women-Servants as the Queen shall nominate under her Hand and Seal, not exceeding nine at once.

XLIX. The said Oaths, Declaration and Subscription, together with a Schedule of their Names that shall take and subscribe them, shall be filed in Parchment Rolls by the Clerks of the House of Lords, House of Commons, and Petty-Bag: without any Fee, but only 12 *d.* all which Rolls the said Clerks shall shew to any person without Fee.

L. This Act shall not extend to any peson for coming to, or remaining in the Kings or Queens presence, that shall have Licence so to do by Warrant of six Privy-Councellors, or Order of Council, so as such Licence exceed not ten days, and be filed in the Petty-bag.

LI. Offenders taking the said Oaths and making the said Declaration after such Offence committed, shall from thenceforth be freed from all Penalties as *Popish* Recusants convict by vertue of this Act, and from all disabilities incurred thereby: but not restored to any Office supplied upon voidance by this Act, nor to any other till after one year after the taking the said Oaths, &c. nor discharged of the Forfeiture of 500 *l.*

LII. This Act shall not extend to the Duke of *York*.

Parsons,

Parſon, Vicar, Parſonage and Vicarage.

I. Stat. 14 *E.* 3. *Stat.* 1. 17. Parſons, Vicars, Wardens of Chappels and Provoſt-Wardens, and Prieſts of perpetual Chanteries, ſhall have their Writs of *Juris utrum* of Lands and Tenements, Rents and Poſſeſſions, annexed and given perpetually in Alms to Vicarages, Chappels, or Chanteries, and recover by other Writs in their caſe, as far forth as Parſons of Churches and Prebends.

II. Stat. 29 *Car.* 2. *cap.* 8. Every Augmentation granted, reſerved or agreed to be made payable or ſo intended ſince the firſt of *June* in the twelfth year of the King, or which ſhall be granted, *&c.* to or for the uſe of any Vicar or Curate by any Eccleſiaſtical Corporation, perſon or perſons whatſoever, out of any Rectory Impropriate or portion of Tithes, ſhall continue during the Eſtate upon which it was granted, reſerved, *&c.* and afterwards. The ſaid Vicars and Curates are hereby adjudged in actual poſſeſſion thereof to them and their Succeſſors, and ſhall have remedy for the ſame by diſtreſs or Action of Debt: any diſability in the Perſon or Corporation granting, or in the Vicars and Curates, the Statute of *Mortmain*, *&c.* notwithſtanding.

III. No future Augmentations ſhall be confirmed hereby, which ſhall exceed one moiety of the clear yearly value, above Reprizes, of the Rectory, out of which, *&c.*

IV. Every Archbiſhop, Biſhop, Dean and Chapter ſhall before the 29*th* of *September* next, cauſe every Leaſe or Grant whereon ſuch Augmentation is made to be entred in a Book of Parchment to be kept by their Regiſters: and every other Eccleſiaſtical perſon ſhall cauſe every ſuch Leaſe, *&c.* made by himſelf or his Predeceſſors to be entred there: for which no Fee ſhall be paid, ſave only 5 *s.* at moſt to the Clerk: Which Entry being examined by the reſpective Archbiſhop, Biſhop, *&c.* and by them atteſted in the ſaid Book to be a true Copy, and that the Augmentation was intended for ſuch uſe, ſhall be as a Record, a Copy whereof proved by Witneſſes, ſhall be Evidence at Law.

V. Where any Eccleſiaſtical Corporations or perſons on the renewing or granting any Leaſe or Eſtate, have made any Agreement for an Augmentation for the Vicar or Curate, which hath been paid, though ſuch Agreement were not expreſſed in the Leaſe, *&c.* they ſhall cauſe the ſubſtance of ſuch Agreement to be entred in the ſaid Book.

VI. If Queſtions ariſe, ſuch favourable conſtructions and further Remedy ſhall be had and made for the benefit of the Vicars, *&c.* as may be upon the Statutes for Charitable uſes.

VII. New Leaſes without expreſs continuance of the ſaid Augmentations ſhall be void.

VIII. This Act ſhall not invalidate a Leaſe of the 19*th* of *October* 1676.

1676. made by the Dean and Chapter of *York*, of the Parſonage and Tithes of *Stourton* in *Nottinghamſhire*: nor a Leaſe lately made by the Dean and Chapter of *Exon* to *Arthur Spry* Eſq; of the Tithe-ſheaf of the Pariſh of St. *Eval* in *Cornwal*.

Partitions and Parceners.

I. Statutum Hiberniæ, 14 *H.* 3. If Land deſcend to ſeveral Coparceners, they ſhall all hold of the chief Lord of the Fee, and not one of another. This is the Uſage in *England*, and ſhall alſo be obſerved in *Ireland*.

II. Prerog. Reg. 5. 17 *E.* 2. If one Inheritance that is holden of the King in Chief deſcend to many Parceners, all the Heirs ſhall do Homage to the King, and that Inheritance ſhall be divided amongſt thoſe Heirs, ſo that every of them after ſhall hold their part of the King.

III. Stat. 31 *H.* 8. 1. Joynt-tenants and Tenants in Common of any Inheritance in their own Right, or in the Right of their Wives, in any Mannors, Lands, Tenements or Hereditaments, may be compelled to make Partition by Writ *De partitione faciendâ*, as Coparceners are compellable to do; and this Writ ſhall be purſued at the Common Law.

IV. Provided, that after ſuch Partition made, they ſhall have aid one of another, and of their Heirs, to deraign warranty, and to recover, for the rate as Coparceners uſe to have.

V. Stat. 32 *H.* 8. 32. Joynt-Tenants and Tenants in Common, that have Inheritance or Free-hold in any Mannors, Lands, Tenements or Hereditaments, ſhall be alſo compellable to make Partition by the ſaid Writ to be purſued upon their Caſe. Howbeit ſuch Partition ſhall not be prejudicial to any but the parties to ſuch Partition, their Executors and Aſſigns.

Paſſage and Arrivage.

I. Stat. 8 *H.* 6. 27. Any of the Inhabitants of *Tewks-bury in Com. Glocester*, may have an Action of Debt (according to the Statute of *Winchester*) to recover againſt the Commonalty of the Foreſt of *Dean*, and Hundred of *Bledſlow* and *Westbury*, (though no Commonalty) recompence for Robberies and Wrongs done them upon *Severn*. Alſo the Goods of any private perſon may be taken upon an Execution awarded againſt the Commonalty. Any perſon may arreſt and impriſon the Offenders; and he whoſe Goods are taken in Execution may have an Action of Treſpaſs or Debt againſt the Offender.

II. Stat. 9 *H.* 6. 5. All perſons ſhall have free paſſage in *Severn* with Flotes and Drags, and all other Merchandize, Goods and Chattels; and if any be diſturbed, he ſhall have his Remedy by Action at the Common Law.

III. Stat.

III. Stat. 19 *H.* 7. 18. Another ſtricter Statute for the free paſſage of *Severn*. *See the Statute at large.*

IV. Stat. 23 *H.* 8. 12. None ſhall interrupt the paſſage upon the Banks of *Severn*, or take or ask any Tax or Toll for the ſame, in pain of 40 *s.* to be divided betwixt the King and the party grieved.

V. Stat. 26 *H.* 8. 5. Juſtices of Peace in the Counties of *Gloceſter* and *Somerſet* in Seſſions ſhall bind Keepers of Ferries over *Severn* by Recognizance with good Sureties, that they ſhall not tranſport any Paſſenger or Cattel out of *England* into *Wales* or the Foreſt of *Dean*, or from either of thoſe places into *England*, before Sun-riſing, or after Sun-ſet, unleſs ſuch as they know and will anſwer for; and beſides, the parties ſo offending ſhall thereby incur Fine and Impriſonment.

VI. Stat. 2 & 3 *P.* & *M.* 16. At the firſt Court of Aldermen in *London* next after the firſt of *March*, out of the Watermen betwixt *Graveſend* and *Windſor* there ſhall be eight choſen for Overſeers, which ſhall have power to keep good Order amongſt the reſt.

VII. Two Watermen ſhall not carry any, but where one of them hath exerciſed that profeſſion two years before that time, and hath been allowed by the greater part of the ſaid Overſeers under the known Seal; in pain to be committed to one of the Counters by the ſaid Overſeers for one month, or for leſs time, as the Offence ſhall deſerve.

VIII. No ſingle man, which is no Houſholder, nor retained as an Apprentice, or as a Servant for one year at leaſt, ſhall exerciſe that profeſſion betwixt the places aforeſaid, in pain of like puniſhment.

IX. The Lord Mayor and Aldermen of *London*, and the Juſtices of Peace within the Counties adjoyning to the River of *Thames*, upon Complaint of any two of the Overſeers, or of any Water-mans Maſter, have power not only to hear and determine any Offences committed againſt this Act, and to enlarge any Water-man unjuſtly puniſhed by the ſaid Overſeers, but likewiſe to inflict puniſhment upon the Overſeers themſelves, in caſe they unjuſtly puniſh any perſon by colour of this Act.

X. A Wherry that is not twelve foot and an half long, and four foot and an half broad in the Mid-ſhip, and ſufficient to carry two perſons on one ſide right, ſhall by forfeit: in which caſe the King and Queen ſhall have the one Moity, and the Informer the other.

XI. That Water-man that withdraws himſelf in time of preſſing (it being proved by two Witneſſes before the ſaid Mayor, Aldermen, or Juſtice, and two of the ſaid Overſeers) ſhall ſuffer a fortnights Impriſonment, and ſhall be prohibited to Row any more upon the *Thames* for a year and a day after.

XII. The

XII. The Overſeers ſhall not only call the Watermen before them, direct them and regiſter their names, but likewiſe examine their Boats before they be launched, whether they have due proportion and goodneſs according to this Act.

XIII. If the Overſeers refuſe or neglect their Office, they ſhall forfeit 5 *l.* whereof the King and Queen ſhall have the one moity, and the Informer the other.

XIV. The Court of Aldermen ſhall aſſeſs the Fares of Watermen, which, being ſubſcribed by two of the Privy-Council, (at leaſt) ſhall be ſet up in *Guild-Hall*, *Weſtminſter-Hall*, *&c.* And the Waterman that takes more than according to the Fare ſo aſſeſſed, ſhall for every ſuch Offence ſuffer half a years Impriſonment, and forfeit forty Shillings to be divided as before.

XV. Stat. 1 *Jac.* 1. 16. No Waterman ſhall retain any Servant or Apprentice, unleſs he himſelf hath been an Apprentice to a Waterman by the ſpace of five years before; and not an Apprentice under the Age of eighteen years, or for leſs time than ſeven years; in pain to forfeit for every ſuch Offence ten pounds, to be divided betwixt the King and the Proſecutor.

XVI. This Act ſhall not reſtrain Watermens Sons of convenient Growth and Strength, and formerly trained up in Rowing, but that they be allowed to ſerve as Apprentices, and to carry Paſſengers from place to place, at the Age of ſixteen years.

XVII. The Eight Overſeers ſhall yearly, upon the firſt day of *March*, and the firſt day of *September*, cauſe openly to be read in their Common-Hall all their Orders, made or to be made, in pain that every of them for every ſuch default ſhall forfeit twenty Nobles, to be divided betwixt the King and the Proſecutor.

XVIII. Stat. 21 *Jac.* 1. 32. The River of *Thames* ſhall be made Navigable for Barges, Boats and Lighters, from the Village of *Bercot* in the County of *Oxon*, unto the Univerſity and City of *Oxon*. *See the Statute at large.*

Patents.

I. Prerog. Reg. *Cap.* 15. 17 *E.* 2. The Kings Gift or Grant of Land or Mannors *cum pertinentiis* conveyeth not Knights Fees, Advowſons, or Dowers, without expreſs words.

II. Stat. 11 *R.* 2. 8. All Annulties and other things given or granted by the King, his Father or Grandfather, with this Clauſe, *Quouſque pro ſtatu ſuo aliter duxerimus ordinandum*, ſhall be void, if other things have been afterwards accepted by the Grantees thereof.

III. Stat. 1 *H.* 4. 6. To the intent that the King might not hereafter be deceived in his Grants, he is content (by the aſſent of the Lords Spiritual and Temporal, and at the Requeſt of the Commons) to be hereafter concluded by the Wiſe Men of his

Council in things touching the Eſtate of him and his Realm, ſaving always his Liberty.

IV. In a Petition to the King for Lands, Annuities, Offices, &c. their value ſhall be therein expreſſed; otherwiſe the Letters Patents thereupon had ſhall be void.

V. Stat. 18 H. 6. 1. All Letters Patents which bear not date the day of the delivery of the Kings Warrant into the Chancery, ſhall be void.

VI. Stat. 6 H. 8. 15. If any make ſuit to the King for Lands, Offices, or other things formerly granted to any perſon during the Kings pleaſure, the firſt Patentee being ſtill in life, the laſt Grantee ſhall expreſs in his Petition or Patent the former Patent, and the determination of his pleaſure concerning the ſame, otherwiſe the laſt Grant ſhall be void.

VII. Stat. 34 & 35 H. 8. 21. The King ſhall hold and enjoy all Honours, Manors, Lands, and other Hereditaments, which he hath obtained ſince the fourth of *February* in the twenty ſeventh year of his Reign, or ſhall hereafter obtain within ſeven years next after the making of this Act, by Bargain, Exchange, or Purchaſe, notwithſtanding any Miſ-recital, Non-recital or not naming of the ſaid Honours, &c. or of the places where they lie, or of any part thereof, or any other Matter or Cauſe whatſoever.

VIII. The right of others is ſaved, ſave only for Rents Services and Rents Seeks.

IX. All Letters Patents and Grants made by the King ſince the ſaid 4th of *February*, or which ſhall be hereafter made by him within ſeven years next after the making of this Act, ſhall be good notwithſtanding any Miſ-naming, Miſ-recital, Non-recital, not finding of Offices, Miſ-recital, or Non-recital of Leaſes, uncertainly miſ-caſting, rating or ſetting forth of the yearly values or rate of the things granted, or of the yearly Rents thereof, want of Attornment and Livery of Seiſin, or the Miſ-naming of the places where the things granted do lie, or of the Tenants or Farmers of them, or any of them.

X. Provided, that (notwithſtanding this Act) the Kings Grants of Offices and their Fees for keeping of Caſtles, Houſes, Parks, Chaſes, Foreſts, or Block Houſes, ſhall be void, when the cauſe of exerciſing ſuch Offices is determined.

XI. Provided alſo, that this Act ſhall not extend to revive any Letters Patents or any Office granted by the King, which have been made void by Authority of Parliament, Judgment, Decree or otherwiſe.

XII. This Act ſhall not be prejudicial to any Letters Patents, Indentures or Writings made after the ſaid 4th of *February*, and before the 28th of *April*, in the twenty eighth year of the Kings Reign, or to any other Statute made for the Corroboration of ſuch Letters Patents, Indentures or Writings.

XIII. Stat.

XIII. Stat. 1 *E.* 6. 8. Such another Statute made for the confirmation of all Grants made and to be made by *E.* 6. from the 28*th* of *January*, in the first year of his Reign, and so during his Life, with such provisoes and limitations as in the former Act of 34 and 35 *H.* 8. are contained. *See the Statute.*

XIV. Stat. 7 *Ed.* 6. 3. A Confirmation of the Kings Letters Patents, notwithstanding his Non-age, or any Statute heretofore made for the reservation of Tenures, Rents or Tenths.

XV. Stat. 4 & 5 *P.* & *M.* 1. Another like Act made for the confirmation of all Grants made and to be made to or by the Queen, or the King and Queen, from the first of *July* in the first year of her Reign, and so during her life; with such Provisoes and Limitations as in the said former Acts of H. 8. and E. 6. are contained.

XVI. Stat. 18 *El.* 2. Another like confirmation of all Grants made to, for, or by the Queen, or to be so made within seven years next after the end of this Session, with like provisoes and limitations as in the former Statutes.

XVII. Stat. 35 *El.* 3. All Abby-Lands which came to the Hands of *H.* 8. shall be adjudged to have been in his actual and lawful possession, notwithstanding any defect, want or insufficiency, of or in any Surrender, Grant or Conveyance thereof, or of any part thereof, made to the said King or any other matter or cause whatsoever, whereby he might have been entituled thereunto.

XVIII. All Letters Patents made by him (since the fourth of *February* in the twenty fifth year of his Reign) for the Foundation of any Dean and Chapter, or Colledge shall be adjudged good.

XIX. The Right of all others (except of Abbots, Priors, *&c.*) is saved.

XX. Stat. 43 *El.* 1. All Grants made to the Queen since the 8*th* of *February* in the twenty seventh year of her Reign (except by Ecclesiastical persons, or Bodies Politck, not having power or ability to make such Grants) are confirmed.

XXI. The Right of all others is saved, except of the parties and privies to such Grants.

XXII. All Grants made by the Queen to others since the said time, as also all others that should be made (by force of a Commission then on foot) before the end of this Session, or within one year after, shall be good.

XXIII. The Letters Patents of all such Grants shall be expounded most beneficially to the Patentees, any Mis-naming, Mis-recital, Non-recital, *&c.* notwithstanding.

XXIV. This Act shall not extend to Letters Patents of Offices, nor of Concealments, except such Concealments only as are sold by Commissioners.

XXV. Neither shall this Act extend to make good any Letters Patents heretofore adjudged void by any Court of Record at *west-*

minſter, or by Act of Parliament; neither yet thoſe of Monopolies for Toleration of any Offence prohibited by any penal Law; nor of Lands where there is an Eſtate-tail in the Queen; unleſs ſuch Eſtate be duly recited.

XXVI. Here alſo the right of others is ſaved.

XXVII. Stat. 21 *Jac.* 1. 25. Neither the King nor any other claiming from, by or under him, ſhall hereafter take advantage againſt the Kings Patentees or Tenants for default of payment of Rent, or other duty to be performed; ſo as the Rent be paid, or ſuch duty performed, before ſuch advantage taken, or any Commiſſion awarded to enquire, or other proceſs ſhall be iſſued for ſuch Forfeiture.

☞ Paving.

I. Stat. 24 *H.* 8. 11. The Street-way between *Charing-Croſs* and *Strand-Croſs* ſhall be ſufficiently paved at the Charge of the Owners of the Lands adjoyning to the ſame, and ſhall alſo be afterwards repaired by them, in pain to forfeit to the King 12 *d.* for every Yard ſquare not ſo paved and repaired. And 25 *H.* 8. the like for *Holborn* and *Southwark*.

* II. Stat. 32 *H.* 8. 17. All perſons having Lands betwixt *Algate* and *White-Chappel*-Church, or in *Chancery-Lane*, *Grays-Inn-Lane*, *Shoe-Lane*, *Fetter-Lane*, or in the way betwixt *Holburn-Bars* and *High-Holburn*, as far as any Houſes are there built, ſhall before the 24*th* of *June* 1542. ſufficiently pave ſo much of the Streets and Lanes aforeſaid as are next adjoyning to their ſaid Lands, and continue them in good repair, in pain to forfeit for every yard ſquare not ſo paved or repaired, 6 *d.*

III. The Mayor, Aldermen and Juſtices in *London*, and the Juſtices of Peace in *Middleſex*, have power within their reſpective Juriſdictions to enquire, hear and determine in Seſſions the Defaults. And in caſe the ſaid Juſtices ſhall be found remiſs therein, they ſhall reſpectively forfeit 5 *l.*

IV. The Clerk of the Peace in *Middleſex* ſhall duly eſtreat into the Echequer the Fines and Forfeitures happening upon this Act, in pain of 5 *l.* to be divided betwixt the King and the Proſecutor.

V. Any three Juſtices in *London*, whereof the Mayor is to be one, have power to ſet Fines upon ſuch as do not pave or repair any Street or Lane in *London* or the Liberties thereof, to be levied by Diſtreſs, Plaint or Action, by the Chamberlain, to the uſe of the Mayor and Commonalty of the ſaid City.

VI. The Inhabitant paving his part in the ſaid Streets or Lanes may defalk ſo much of his Rent from his Leſſor as the Charge thereof ſhall amount unto, unleſs it be otherwiſe agreed betwixt them.

VII. Stat.

VII. Stat. 34 & 35 *H.* 8. 12. Another like Statute for the paving and repairing of *White-Croſs-Street*, *Cheſwel-Street*, *Golding-Lane*, *Grub-Street*, *Goſwel-Street*, *Long-Lane*, *Saint-John's-Street*, the Streets there leading from the *Bars* to *Cow-Croſs*, *Water-Lane* in *Fleet-Street*, the Streets behind *Saint Clements Church* without *Temple-Bar*, the way from the *weſt-Bars* in *Tothil-Sreet* in *Weſtminſter* to the Weſt end of *Petit-France*, the way without *Biſhop-Gate* above *Short-Ditch-Church*, *Strand-Bridge*, and the way leading from thence towards *Temple-Bar*, and *Foſcue-Lane* leading down to *Strand-Bridge*. And (in the ſaid Act) the Juſtices of *Middleſex* have alſo power to ſet Fines upon the Defaulters at their Diſcretion.

VIII. Stat. 13 *El.* 23. Another Act of like nature for Paving and keeping in repair the Way without *Algate*, called the *Bars* without *Algate*; another, leading from the *Old-Cage* there to the North-end of *Nightingale-Lane*; and another, between the ſaid *Old-Cage* and *Croſs-Mill* in the Pariſh of *Saint Mary*: the pain for Default being 3 *s.* 4 *d.* to the Queen for every Yard ſquare not ſo paved or repaired. This Act likewiſe provides for the Scowring and Cleanſing of certain Ditches thereabouts.

IX. Stat. 18 *Eliz.* 19. An Act for the Paving of *Chicheſter*.

X. Stat. 23 *Eliz.* 12. Another Act for the Paving of the *Minories*, being an additional Act to 13 *El.* 23. And the Ditch in *Hog-lane* ſhall be ſcowred and cleanſed by the owners of the Lands lying on the North-ſide of the ſaid Lane, in pain to forfeit 6 *s.* 8 *d.* for every Pole uncleanſed. And by this Act the Juſtices of Peace in *London* and *Middleſex* ſhall appoint Scavengers.

XI. Stat. 3 *Jac.* 1. 22. Another Act for the paving and keeping in repair the Streets in Saint *Giles* in the Fields, and *Drury-Lane*.

☞ Peace.

I. Stat. 2 *Ed.* 3. *c.* 6. The Statute of *Winchеſter* and other Statutes made for the keeping of the Peace ſhall be duly obſerved.

II. The Juſtices aſſigned ſhall have power to puniſh Reſiſters of the Peace.

III. Stat. 1 *R.* 2. *c.* 2. Peace ſhall be kept, and Juſtice and Right duly adminiſtred to all perſons. *See all the Statutes of* 1 *H.* 4. 1. 2 *H.* 4. 1. and 7 *H.* 4. 1. *to the like effect.*

Penſions, Portions, and Corodies.

I. Stat. 34 & 35 *H.* 8. 19. Penſions, Portions, Corodies, Indemnities, Synodies, Proxies, and all other Profits due out of Religious Lands diſſolved, ſhall be paid to Biſhops, Arch-Deacons, and other Eccleſiaſtical Perſons, by the Occupiers of the ſame

Lands, if ſuch Eccleſiaſtical Perſons were ſeized thereof within ten years before their Diſſolution. And if upon Suits in the Eccleſiaſtical Court for the ſame the Defendant be Convict, the Plaintiff ſhall recover the Value thereof in Damages, together with his Coſts of Suit. The like he ſhall recover at the Common Law, when the Cauſe is thereby determinable.

II. Provided, That if the King hath demiſed any of the ſaid Lands with a Covenant to diſcharge the Tenant of ſuch Charges, that then the party claiming the ſame ſhall ſue for them in the Court of Augmentations, and not elſwhere.

☞ Perjury.

* I. Stat. 5 *El.* 9. None ſhall ſuborn a Witneſs to give Teſtimony in any Court of Record concerning any Lands, Goods, Debts or Damages, in pain of 40 *l.* and if the Offender (being convicted thereof) hath not wherewithal to ſatisfie the ſaid Forfeiture, he ſhall ſuffer ſix months Impriſonment without Bail, ſtand upon the Pillory one whole hour in the ſame or next Market-Town where the Offence was committed, and be for ever after diſabled to give Teſtimony in any Court of Record, until the Judgment given againſt him be reverſed by Attaint or otherwiſe.

II. He that commits wilful Perjury ſhall forfeit 20 *l.* ſuffer ſix months Impriſonmet without Bail, and be ever after diſabled to give Evidence, until the Judgment given againſt him be reverſed as aforeſaid: And here alſo, if he hath not wherewithal to diſcharge the Fine, (in the Country) the Sheriff or (in a Corporation) the Head-Officer ſhall cauſe him to be ſet upon the Pillory in ſome Market-place, and to have both his Ears nailed.

III. The Forfeitures aboveſaid ſhall be divided betwixt the Queen and the party grieved.

IV. Judges of the Courts where ſuch Offences ſhall happen to be committed, Juſtices of Aſſize, Gaol-delivery, and of Peace, have power to hear and determine the ſame Offences.

V. This Act ſhall be proclaimed at every Aſſize.

VI. This Act ſhall not extend to any Court Eccleſiaſtical, but that they may there proceed as in times paſt.

VII. This Act ſhall not reſtrain the power of the *Star-Chamber*, nor of the Council of *Wales*, or in the North, to puniſh hainous Perjuries, but that they may proceed as formerly; ſo as for the ſaid Offences they inflict no leſs puniſhment than by this Statute ordained.

Petition.

I. Stat. 13 *Car.* 2. *Stat.* 1. *cap.* 5. None ſhall labour or procure the getting of Hands or other Conſent of above twenty perſons to any Petition, Remonſtrance, *&c.* to the King, or both or either

either Houſes of Parliament for alteration in Church or State, unleſs by conſent and order of three or more Juſtices of the County, or the *Major* part of the Grand-Jury of the County or Diviſion where the matter ſhall ariſe, at the Aſſizes or Quarter-Seſſions, or, if ariſing in *London*, of the Mayor, Aldermen and Commons in the Common-Council; nor ſhall any repair to the King, or both or either Houſes of Parliament, to deliver ſuch Petition, *&c.* with above ten perſons at once, upon pain of a penalty not exceeding 100 *l.* and three months imprisonment. The Offence to be proſecuted at the *Kings-Bench*, Aſſizes or Quarter-Seſſions, within ſix months after it is committed, and to be proved by two Witneſſes.

II. This Act ſhall not extend to any Addreſs by all or any Members of both or either Houſes of Parliament, during the ſitting of Parliament.

Phyſicians and Chirurgeons.

* I. Stat. 3 *H.* 8. 11. None in *London*, or within ſeven miles thereof, ſhall exerciſe as a Phyſician or Chirurgeon, except firſt examined and admitted thereunto by the Biſhop of *London* or Dean of *Pauls*, calling to him or them for the firſt Examination four Doctors of Phiſick, and for Chirurgery other expert perſons in that Faculty, and afterward of them that ſo ſhall be proved; in pain to forfeit, for every month they exerciſe Phyſick or Chirurgery not ſo examined and admitted, 5 *l.* to be divided betwixt the King and the Proſecutor.

II. In other places, within the ſaid Precinct of ſeven miles, none ſhall exerciſe the ſaid Profeſſions, unleſs examined and approved by the Biſhop of the Dioceſs, or (in his abſence) by his Vicar-general, calling to them expert Men in thoſe Profeſſions at their diſcretion, and giving Letters teſtimonial under their Seal to him they ſhall ſo approve, upon the like pain, to be divided as aforeſaid.

III. This Act ſhall not extend to the Univerſities

IV. Stat. 5 *H.* 8. 6. The Chirurgeons of *London* ſhall be exempt for bearing the Office of Conſtable, or any other Office, watching, bearing of Arms, or to ſerve upon Inqueſts in *London*; ſo that their Incorporation exceed not the number of twelve.

V. This Act ſhall alſo extend to Barber-Chirurgeons approved and admitted according to the Statute of 3 *H.* 8. 11.

VI. Stat. 14 & 15 *H.* 8. 5. The Kings Charter for the Incorporating of the Colledge of Phyſitians in *London* (bearing Date the 13*th* of *September* in the tenth year of his Reign) is confirmed; the ſubſtance whereof is as followeth.

VII. A perpetual Colledge of Phyſicians is granted and erected in *London*, and within ſeven Miles compaſs of the ſame, who ſhall have power to chuſe yearly a Preſident for the better Government of the ſame; and ſhall alſo have perpetual Succeſſion, a

common Seal, and ability to purchase Lands, not exceeding 12 *l. per annum*: They may sue and be sued, make Ordinances for the Good Government of the Colledge, and of all others that practise Physick within the said Limits. Neither shall any practise Physick within that Circuit, unless approved under the Seal of that Colledge, in pain of 5 *l.* to be divided betwixt the King and the same Colledge. Likewise, four Physicians of *London* shall be yearly chosen to supervise the rest, as also their Medicines and Receipts, so that such as offend may punished by Fines, Amerciaments, Imprisonment, or other due means. Lastly, Physicians shall not be put upon Inquests in *London* or elsewhere. Howbeit, these Letters Patents shall not be prejudicial to the City of *London* nor the Liberties thereof.

VIII. There shall be eight of the Colledge called *Elects*, who from amongst themselves shall yearly chuse a President; and as any of the *Elects* fail, (by death or otherwise) others shall be chosen in their places by the Survivors of the same *Elects*.

IX. None shall practise Physick in the Country, without a Testimonial of his sufficiency from the President and three of the *Elects* of the same Colledge, unless he be a Graduate in one of the Universities.

X. Stat. 32 *H.* 8. 40. Physicians are discharged from keeping Watch or Ward, or bearing the Office of Constable, or any other Office, within the City of *London* or the Suburbs thereof.

XI. Four Physicians shall be yearly chosen by the Colledge, and shall have an Oath given them by the President, to search Apothecaries Wares: and if they shall find any of them faulty, shall call to them the Wardens of the Mystery of Apothecaries in *London*, and cause them to be burnt or otherwise destroyed.

XII. No Apothecary shall resist their Search, in pain of 5 *l.* to be divided betwixt the King and the Prosecutor.

XIII. If any of the Physicians so chosen refuse to take his Oath, or (after being sworn) refuse to make search once in a year, he shall forfeit 40 *s.*

XIV. Any of the Company of Physicians in *London* may also practise Chirurgery.

XV. Stat. 32 *H.* 8. 42. The Barbers and Chirurgeons of *London* are made one Company, and incorporated by the Name of the Masters and Governors of the Mystery and Commonalty of Barbers and Chirurgeons of *London*, and by that Name shall sue, and be sued, purchase Lands, use a Common Seal, and possess the Lands which now the Commonalty of Barbers of *London* do enjoy; as also all Liberties and Priviledges heretofore granted to either of the said Companies by *E.* 4. *H.* 7. or this present King. Also such of them as are admitted to the practise of Chirurgery shall be exempt from bearing of Arms, Watches and Inquests. This Company shall likewise have the search, oversight,

ſight, puniſhment and Correction of Offences committed againſt Barbery or Chirurgery, according to the Statute of 19 *H.* 7. 7. (*which ſee in Corporations.*) Yet here the right of all others to their Lands is ſaved.

XVI. The Chirurgeons may take yearly four condemned perſons for Anatomies, without any Suit to the King, or other interruption for the ſame.

XVII. No Barber in *London* and within a Miles compaſs thereof ſhall uſe Chirurgery; neither ſhall any Chirurgeon there uſe Barbery or Shaving.

XVIII. Every Chirurgeon in *London* ſhall have a Sign at his Door.

XIX. None ſhall be a Barber in *London* but a Freeman of that Company.

XX. At the times heretofore accuſtomed there ſhall be four Maſters or Governours of this Corporation choſen, *viz.* two Chirurgeons and two Barbers, who ſhall have the ſearch, overſight, puniſhment and Correction of all Defaults and Inconveniences in either of thoſe Profeſſions within the Circuits aforeſaid.

XXI. The Barber or Chirurgeon offending in any of the Articles ſhall for every Month ſo offending forfeit 5 *l.* to be divided betwixt the King and the Proſecutor.

XXII. Howbeit the Chirurgeons and Barbers in *London* ſhall pay Scot and Lot, as in former times. And any perſon may keep a Barber or Chirurgeon in his Houſe, as his Servant, notwithſtanding this Statute.

XXIII. **Stat.** 34 & 35 *H.* 8. 8. It ſhall be lawful for any perſon having Knowledge and Experience of the Nature of Herbs, Roots and Waters, to practiſe and miniſter to any outward Sore, Uncom, Wound, Apoſtumation, outward Swelling or Diſeaſe, any Herb or Herbs, Ointment, Baths, Poultices and Emplaſters, according to their knowledge of the ſaid Maladies or the like, as alſo Drinks for the Stone, Strangury, or Agues, without Suit, Penalty, or Loſs, the Statute of 3 *H.* 8. 11. or any other Statute notwithſtanding.

XXIV. **Stat.** 1 *M. Parl.* 1. *Seſſ.* 2. *Cap.* 9. The Statute of 14 *H.* 8. 5. is confirmed.

XXV. When the Preſident or Commonalty of the Faculty of Phyſick in *London*, or others Authorized (by 14 *H.* 8. 5.) to ſearch and puniſh Offenders, ſhall ſend or commit any ſuch Offender to any Priſon, (except the Tower) the Warden, Gaoler or Keeper thereof ſhall receive, and there ſafely keep ſuch Offender without Bail, until he ſhall be thence diſcharged by the ſaid Preſident, or others authorized as aforeſaid, in pain to forfeit double the penalty of the Offender, to be recovered by an Action of Debt, and divided betwixt the Queen and the ſaid Preſident and Colledge.

XXVI. If the Wardens of the Apothecaries, (*in this Statute called* the Wardens of the Grocers) or one of them, do not immediately

diately upon Call go with the Prefident, or four of the *Elects*, appointed to fearch the Apothecaries Wares according to the Statute of 32 *H.* 8. 40.) the faid Prefident or four *Elects* fhall do it without them, as alſo deſtroy ſuch Wares as they ſhall find faulty: and none ſhall reſiſt ſuch fearch, in pain of 10 *l.* to be recovered in form aforeſaid.

XXVII. Juſtices of Peace, Mayors, Sheriffs, Bailiffs, Conſtables and other Officers, ſhall aſſiſt the ſaid Prefident, and all perſons authorized by the ſaid Colledge, for the due Execution of the ſaid Laws and Statutes, in pain to run in contempt of the Queen her Heirs and Succeſſors.

☞ Plague.

* I. Stat. 1 *Jac.* 1. 31. The Mayor, Bayliffs, Head Officers and Juſtices of Peace in a Corporation, or any two of them, have power to tax the Inhabitants there towards the Relief of ſuch as are infected with the Plague, and to make Warrant under their Hands and Seals for any perſon to levy the ſaid Tax upon the Goods of ſuch as ſhall refuſe or neglect to pay the ſame; and in caſe no Goods can be found to ſatisfie the Tax, upon the Parties refuſal thereof, to commit him to priſon, there to remain till the Tax be ſatisfied.

II. If the Corporation be not able to reliere the perſons infected, upon Certificate thereof to the Juſtices of Peace of the County thereunto adjoining, or any two of them, by the ſaid Officers and Juſtices of the Town, or any two of them, the ſaid Juſtices of the County ſhall have like power to tax, levy, and impriſon as aforeſaid, within five miles diſtance of the ſaid Corporation.

III. In Towns and places Corporate where there are no Juſtices, and in the Country, two Juſtices of Peace of the County ſhall tax, levy, and impriſon, as aforeſaid, within five miles diſtance of the Town or place ſo infected.

IV. Theſe Taxes ſhall be certified in at the next Quarter-Seſſions of the Corporation or County reſpectively, and ſhall there be ordered, as by the Juſtices there, or the more part of them, ſhall be thought fit.

V. The Conſtable or other Officer which wilfully neglects to levy the Tax upon a Warrant, as aforeſaid, ſhall forfeit for every ſuch Default 10 *s.* to be imployed upon the Charitable uſes aforeſaid.

VI. If any infected perſon reſiding in an infected Houſe (after commanded by a Juſtice or other Officer) preſume to come forth, the Watch-men may reſiſt him; and if any hurt happen thereupon, the Watch-men ſhall not be impeached therefore.

VII. If any perſon having a Sore upon him go abroad, and converſe in Company, he ſhall ſuffer as a Felon; but if he have no

Sore,

ſore, he ſhall be openly puniſhed as a Vagabond, according to the Statute of 39 *El.* 4. (*which ſet in Vagabonds.*)

VIII. No Attainder of Felony by virtue of this Act ſhall extend to corruption of Blood, or Forfeiture of Goods or Lands.

IX. It ſhall be lawful for the Juſtices of Peace and Head-Officers to appoint Searchers, Watch-men, Examiners, Keepers, and Burſers, and to miniſter unto them Oaths for the due performance of their Offices, and to give them ſuch other directions as in their diſcretion ſhall be thought fit.

X. Juſtices of Peace or Head-Officers ſhall not (by force of this Act) meddle in the Univerſities, Cathedral Churches, or Colledges.

☞ Plays and Games.

*I. Stat. 33 *H.* 8. 9. Parents and Maſters ſhall provide for each of their Sons and Male-Servants (betwixt the age of ſeven and ſeventeen) a Bow and two Shafts, and cauſe them to exerciſe ſhooting, in pain of 6 *s.* 8 *d.*

II. Sons and Male-Servants (betwixt the Age of ſeventeen and ſixty) ſhall be furniſhed with a Bow and two Arrows, and practiſe ſhooting therewith, in pain of 6 *s.* 8 *d.*

III. None under the Age of twenty four years ſhall ſhoot at any ſtanding Mark, (except at Rovers, changing his Mark every ſhoot) in pain of 4 *d.* a ſhoot; and none above that Age ſhall ſhoot at any Mark of eleven ſcore diſtance, or under, in pain of 6 *s.* 8 *d.*

IV. None under the Age of ſeventeen years ſhall ſhoot with a Bow of Yew, except his Parents be worth 10 *l. per annum* in Lands, or forty Marks in Goods, in pain of 6 *s.* 8 *d.* a Shoot.

V. The Inhabitants of every Town ſhall continue their Buts in good repair, in pain of 20 *s.* for every five Months default.

VI. For every Bow made of Yew, the Bowyer not inhabiting *London* or the Suburbs thereof ſhall make four, and the Inhabitant there two Bows of other Wood, in pain to forfeit for every ſuch Bow un-made, 3 *s.* 4 *d.*

VII. Fletchers of *London* ſhall ſell ſeaſonable Timber to Foreign Fletchers without prejudice.

VIII. Artificers of Archery (not Free-men, nor paying Scot and Lot) ſhall remove their abode from *London* and the Suburbs thereof to what other place they ſhall be aſſigned by his Majeſties Council, the Lord Chancellor, Treaſurer, Privy-Seal, or one of them, in pain of 40 *s.* for every day they make their abode contrary to this Act.

IX. Aliens ſhall not convey Bows and Arrows out of the Realm without his Majeſties Licenſe, in pain of Impriſonment without Bail until they ſhall make Fine to the King, to be ſet by (at leaſt) two Juſtices in Seſſions, and give Security for the ſame; neither ſhall they uſe ſhooting, in pain to forfeit their Bows and Arrows, to be taken from them by any of the Kings Subjects.

X. Juſtices

X. Juſtices of Aſſize, Gaol-delivery and Peace, in Seſſions and Stewards in Leets, ſhall hear and determine the Breaches of this Act.

XI. The one moity of all theſe Forfeitures is given to the Proſecutor; and the other, where there is no Leet, is given to the King; and where there is a Leet, to the Lord of that Leet.

XII. None ſhall keep or maintain any Houſe or Place of unlawful Games, in pain of 40 *s.* and none ſhall uſe or haunt ſuch places, in pain of 6 *s.* 8 *d.*

XIII. In every Placard to keep Common Gaming, the Games here to be uſed ſhall be inſerted, as alſo the perſons who ſhall play thereat; and every Placard otherwiſe granted ſhall be void. The Grantee alſo of ſuch a Placard ſhall be bound by Recognizance in the Chancery with good Sureties, not to uſe it contrary to the Form thereof.

XIV. It ſhall be lawful for Juſtices of Peace in every County, and for Head-Officers in Corporations, as well within the Liberties as without, to enter and reſort into all ſuch Houſes and places where ſuch unlawfull Games are ſuſpected to be uſed, and as well the Keepers thereof as the Reſorters thereunto to arreſt and impriſon, until they ſhall ſeverally give good Security, at the Diſcretion of the ſaid Juſtices or Officers, not to keep ſuch Games any more.

XV. Every Mayor, Sheriff, Bayliff, Conſtable and other Head-Officer, within every City, Burrough, or Town, ſhall make due Search, as aforeſaid, once every month at leaſt, in pain to forfeit 48 *s.* for every ſuch default.

XVI. No Artificer or his Journey-man, no Husband-man, Apprentice, Labourer, Servant at Husbandry, Mariner, Fiſher-man, Water-man, or Serving-man, ſhall play at Tables, Tennis, Dice, Cards, Bowls, Claſh, Coyting, Loggating, or any other unlawful Game, out of *Chriſtmas*, or then out of their Maſters Houſe or Preſence, in pain of twenty Shillings. And none ſhall play at Bowls in open places out of his Garden or Orchard, in pain of 6 *s.* 8 *d.*

XVII. All Informations or Suits upon this Statute ſhall be proſecuted within one year; and the Forfeitures thereof which happen within a Leet or Liberty ſhall be divided betwixt the King and the Lord thereof, and in all other places betwixt the King and the Proſecutor.

XVIII. Proclamation of this Act ſhall be made quarterly in every Market-Town, as alſo at every Gaol-delivery, Aſſize and Seſſion.

XIX. This Act ſhall not reſtrain a Servant (by his Maſters Licenſe) to play at Cards, Dice, or Tables, with the Maſter himſelf, or other Gentlemen reſorting to his Maſters Houſe. And if the Maſter hath Free-hold of 100 *l. per annum*, he may alſo Licenſe his Servant to play at Bowls or Tennis.

XX. Stat.

XX. Stat. 2 & 3 *P. & M.* 9. All Licenſes to keep Houſes or Places of unlawful Games, ſhall be void.

XXI. Stat. 16 *Car.* 2. *c.* 7. They that by Fraud or ill Practice in playing at Cards, Dice, Tables, Tenis, Bowls, Kittles, Shovelboard, or in Cock-fightings, Horſe-Races, Dog-Matches, or Foot-Races, or other Paſtimes or Games, or by bearing a part in the Stakes, Wages or Adventures, or by betting on the ſides of ſuch as Play, Act, Ride, *&c.* acquire to themſelves or others Mony or things of Value, ſhall *ipſo facto* forfeit the Treble Value: one half to the King, the other to the Loſer, proſecuting within ſix Kalender months, and in default of ſuch Proſecution, that Moity to them that will ſue within a year after the ſix months expired.

XXII. If any perſons play at the ſaid Games or other Paſtime, (other than for ready Mony) or bet on other Mens ſides, and ſhall loſe any Sums of Mony, or other things exceeding 100 *l.* at one time of meeting, they ſhall not be compelled to make good the ſame: but ſuch Contracts and all Securities for the ſame ſhall be void. The perſon winning the ſame, ſhall forfeit the treble value of ſuch Mony or other things won above 100 *l.* one half to the King, the other to the Proſecutor ſuing within a year.

XXIII. Plaintiffs and Informers upon this Statute ſhall recover treble Coſts.

☞ Stage-Plays.

I. Stat. 3 *Jac.* 1. 21. None ſhall in any Stage-Play, Shew, May-Game or Pageant, profanely uſe the Name of God, Chriſt Jeſus, the Holy Ghoſt or Trinity, in pain of 10 *l.* to be divided betwixt the King and the Proſecutor.

Pleading and Pleaders.

I. Stat. 36 *E.* 3. 15. All Pleas which ſhall be pleaded in any Court whatſoever within the Realm ſhall be pleaded, ſhewed, defended, anſwered, debated and adjudged in the *Engliſh* Tongue, but entred and enrolled in *Latin*. Howbeit the Laws and Cuſtoms of this Realm, as alſo the Terms and Proceſſes, ſhall be holden and kept as before this time hath been uſed.

II. Stat. 12 *Car.* 2. *c.* 3. One pretended Act made in 1650. for turning the Law into *Engliſh*, ſhall be in force, as if it had been a good Act from the firſt Return in *Eaſter*-Term, 1651. till the firſt of *Auguſt* 1660. and no longer.

☞ Pleas of the Crown.

I. Magna Charta 17. 9 *H.* 3. No Sheriff, Conſtable, Eſcheator, Coronor, or any other of our Bayliffs, ſhall hold Pleas of the Crown.

Plumſtead-Marſh.

I. Divers Statutes have been made for the winning and ſaving of *Plumſtead*-Marſh, *viz.* 22 *H.* 8. 3. 14 *Eliz.* not printed, 23 *El.* 13. and 27 *El.* 27. *See them at large.*

☞ Poor People.

I. Stat. 11 *H.* 7. 12. Every Poor Perſon, having cauſe of Action, ſhall have Original Writs and *Subpœna's gratis*; alſo the Judge or Judges of the Court where the Suit depends ſhall aſſign him Council and Attorney, who are thereby enjoyned to diſpatch his Buſineſs without Fees.

* II. Stat. 43 *El.* 2. The Church-Warden of every Pariſh, and four, three, or two Houſholders there, (according to the Greatneſs of the Pariſh) to be nominated yearly in *Eaſter*-Week, or within one month after, under the Hands and Seals of two Juſtices of Peace, (1. *Qu.*) ſhall be called *Overſeers of the Poor* for the ſame Pariſh.

☞ III. Theſe Overſeers, or the greater part of them, ſhall take order (with the conſent of two ſuch Juſtices) for the ſetting of poor people to work, and for raiſing (by Taxarion) a convenient Stock to work upon, to relieve impotent perſons, to put forth Apprentices, and to perform all other things concerning the Premiſſes.

IV. Theſe Officers or ſuch of them as ſhall not be let by ſome juſt Excuſe (to be allowed by two ſuch Juſtices) ſhall meet monthly in the Church upon *Sunday* after Evening Prayer, and there conſider of ſome meet direction in the premiſſes; and ſhall within four days after the End of their year, and other Overſeers nominated, yield up a true account to two ſuch Juſtices, pay the ſurpluſage thereof to their Succeſſors, and uſe all poſſible diligence in their Office, in pain to forfeit for every ſuch Default 20 *s.*

V. Where the Inhabitants of any Pariſh are not able to relieve themſelves, two ſuch Juſtices may tax other Pariſhes and Places, and the whole Hundred alſo, (if need require;) and where the whole Hundred is not able, Juſtices of Peace in Seſſions may tax the County in part, or wholly at their diſcretions.

VI. It ſhall be lawful for the ſaid Officers, upon Warrant from two ſuch Juſtices, to levy ſuch Tax or Surpluſage by diſtreſs and ſale of Goods: and in default of diſtreſs, two of the ſaid Juſtices have power to commit the Party to Priſon, there to remain without Bail until it be diſcharged; and alſo to commit Perſons which refuſe to work to the Houſe of Correction.

VII. The ſaid Officers, or the greater part of them, with the Aſſent of two Juſtices of Peace, may bind poor Children Apprentices, *viz.* a Man-Child till twenty four years of Age, and a Woman-Child till twenty one years, or Marriage.

VIII. The

VIII. The ſaid Officers ſhall, (with the conſent of the Lord of the Mannor firſt obtained in Writing under his Hand and Seal) either of themſelves, or by vertue of a Seſſions-order, erect Cottages upon the Waſte, and lodge In-mates therein, notwithſtanding the Statue of 31 *El.* 7. But thoſe Cottages ſhall not be afterwards otherwiſe imployed than to lodge Impotent perſons therein, upon the pains mentioned in the ſaid Statute of 31 *El.*

IX. Juſtices of Peace in Seſſions ſhall rectifie unjuſt Taxes, whoſe Order therein ſhall be binding to all Parties.

X. The Father, Grandfather, Mother, Grandmother and Children of every poor perſon ſhall be aſſeſſed towards their relief, as the Juſtices of Peace in Seſſions of the County where ſuch Father, *&c.* dwells, ſhall limit and appoint, in pain to forfeit 20 *s.* a Month.

XI. Officers in Corporate-Towns, and Aldermen of *London*, have in their ſeveral Precincts like Authority that Juſtices of Peace have in the Counties; which ſaid Juſtices are not to intermeddle in Corporations for the Execution of this Law.

XII. When one Pariſh extends into ſeveral Counties or Liberties, the Juſtices or Head-Officers ſhall only intermeddle within their reſpective Limits; but the Church-Wardens and Overſeers have mixt Juriſdiction, and ſhall render Accompt (as aforeſaid) to Juſtices or Head-Officers of both places.

XIII. If it happen Overſeers not to be appointed according to this Statute, every Juſtice of Peace or Head-Officer of that Diviſion or Corporation ſhall forfeit 5 *l.* to be levied by a Seſſions-Warrant, and imployed to the uſe of the Poor of the Pariſhes where ſuch default is made.

XIV. The Forfeiture of this Statute ſhall be imployed to the uſe of the Poor, and levied by diſtreſs and commitment, as aforeſaid.

XV. Juſtices of Peace of every County and Corporation, or the moſt part of them, at *Eaſter*-Seſſion, ſhall yearly (or as often as they ſhall think fit) rate every Pariſh at a certain Sum, to be paid weekly; but ſo as no Pariſh may pay more than ſix pence, nor leſs than an half-penny; and one Pariſh conſidered with another not above two pence, through the whole County or Corporation: which Sum ſo rated, the Church-Wardens and Conſtables of every Pariſh, or any of them, (or in their default a Juſtice of Peace) have power to aſſeſs and levy by diſtreſs, ſale and commitment, as aforeſaid.

XVI. Juſtices of Peace ſhall then likewiſe rate every Pariſh towards the relief of the *Kings-Bench* and *Marſhalſey*, and alſo of Hoſpitals and Alms-Houſes ſituate within their ſeveral Juriſdictions, appointing only ſo much to the ſaid Hoſpitals and Alms-Houſes, that the *Kings-Bench* and *Marſhalſey* may each of them receive at leaſt 20 *s.* yearly out of every County. And the Sums thus to be aſſeſſed upon every Pariſh, the Church-Wardens there ſhall collect

and

and levy as before, and pay them over quarterly to the High-Conſtable of that reſpective Diviſion ten days before every Quarter-Seſſions; and the High Conſtables ſhall every Quarter-Seſſions pay the ſame over to the two Treaſurers of the County, or one of them, to be yearly choſen by the more part of the Juſtices of Peace out of ſuch Subſidy-Men as were taxed in the laſt tax of Subſidies at 5 *l.* Lands, or 10 *l.* Goods: which Treaſurers ſo choſen ſhall yearly at *Eaſter*-Seſſions render a true account to their Succeſſors, and pay the Monies in their Hands to the Lord Chief Juſtice of the *Kings-Bench* and the Knight-Marſhal by equal portions. And here the Church-Warden or his Executors, *&c.* which fails in payment to the High-Conſtable, ſhall forfeit 10 *s.* and the High Conſtable or his Executors, *&c.* which fails in payment to the Treaſurers, ſhall forfeit 20 *s.* to be levied and imployed by the ſaid Treaſurers as aforeſaid.

XVII. The Stock of every County ſhall be ordered and diſpoſed to charitable uſes, as the Juſtices, or the more part of them, ſhall think convenient.

XVIII. The Treaſurer that refuſeth to execute his Office, to diſtribute Relief, or to Accompt, as the moſt part of the Juſtices ſhall direct, ſhall be fined by the ſame Juſtices, or (in their default) by the Judges of Aſſize, three pounds at leaſt; which Fine ſhall be levied by ſale of Goods, upon the Proſecution of any two Juſtices authorized by the reſt.

XIX. A Proviſion for the Iſlands of *Foulneſs* in *Eſſex*.

XX. Upon an Action brought for the due Execution of this Act, the Defendant may plead the General Iſſue, and yet give ſpecial matter in Evidence, and ſhall alſo recover treble Damages and his Coſts of Suit.

XXI. **Stat.** 7 *Jac.* 1. 3. Mony given to put out poor Children Apprentices, ſhall be imployed in Corporate-Towns by the Corporations, and in other places by the Parſon or Vicar, together with the Conſtables, Church-Wardens and Overſeers of the Poor or the moſt part of them, who ſhall not forbear or refuſe to imploy the ſame accordingly, in pain to forfeit five Marks each of them ſo making default, to be divided betwixt the Poor of the Pariſh and the Proſecutor.

XXII. The party giving Mony with ſuch an Apprentice ſhall give good Security by Obligation to repay it at the end of ſeven years next enſuing the Date of the ſaid Obligation, or within three months next after the end of the ſaid ſeven years: and if ſuch Apprentice ſhall die within the ſeven years, then within one year after his, or her death; and if the Maſter, Miſtriſs or Dame, happen to die within the ſeven years, then within one year after their death, ſo as the mony may be imployed in placing the Apprentice with ſome other of the ſame Trade, to ſerve out his time, at the diſcretion of the parties truſted, as aforeſaid.

XXIII. The

XXIII. The Mony ſo given ſhall be imployed within three months after the Receipt thereof; and if there ſhall not be apt perſons found to be Apprentices in the places where it is given, it ſhall be imployed in the Pariſhes next adjoyning by the parties that are truſted with it in the places where it was ſo given; and there alſo Bond ſhall be taken, as before is declared.

XXIV. The choice of Apprentices ſhall be out of the pooreſt ſort of Children, whoſe Parents are the leaſt able to relieve them; and no ſuch Apprentice ſhall be above the Age of fifteen years when he or ſhe is firſt bound.

XXV. The parties ſo truſted ſhall yearly in *Eaſter*-week, or within one Month after, account before two or more of the next Juſtices of Peace. And if there be any Obligations or Mony remaining in their Hands, they ſhall upon ſuch Account (or within ten days after) deliver the ſame unto their Succeſſors.

XXVI. If any Officer ſo truſted ſhall break the Truſt repoſed in him, miſ-imploy the ſame Mony, or do any thing contrary to this Act, for which he cannot be puniſhed by this Act, the Lord Chancellor or Keeper ſhall, upon the Petition of any perſon award a Commiſſion to ſuch as he ſhall think fit, to enquire, hear and determine ſuch Offences: And if the Commiſſioners ſhall find Mony ſo miſ-imployed, they ſhall, in places not Corporate, have power to rate, raiſe and collect it upon the parties ſo offending; or otherwiſe, upon the able Inhabitants of the City, Town or Pariſh ſo in default, as the ſaid Commiſſioners, or the greateſt part of them ſhall think fit; and ſhall return the ſaid Commiſſion, together with the manner of Executing the ſame, into the Chancery within three months next after ſuch Execution thereof.

XXVII. **Stat.** 1 *Jac.* 1. 25. All perſons to whom the Overſeers of the Poor ſhall (according to the Statute of 43 *El.* 2.) bind any poor Children Apprentices, may take, receive and keep them as Apprentices.

XXVIII. **Stat.** 3 *Car.* 1. *c.* 4. The aforeſaid Statute of 1 *Jac.* 1. *cap.* 25. is again continued and confirmed.

XXIX. The Church-Wardens and Overſeers of the Poor (mentioned in the Statute of 43 *El.* 2.) may, with the conſent of two or more Juſtices of the Peace, (one of the *Quorum*) within their reſpective limits wherein there ſhall be more Juſtices of Peace than one, and where no more ſhall be than one, with the Aſſent of that one Juſtice, ſet up, uſe and occupy any Trade, Myſtery or Occupation, only for the ſetting on work and better Relief of the Poor of the Pariſh or place where they ſo bear Office reſpectively.

XXX. **Stat.** 13 & 14 *Car.* 2. *cap.* 12. Upon complaint by the Church-wardens and Overſeers of the Poor to any Juſtice of Peace within forty days after any poor perſon cometh to ſettle in a

Tenement under 10 *l. per annum*, two Justices of Peace, whereof one to be of the *Quorum*, may by Warrant remove such person to the Parish where they were last legally setled for forty days, unless they give security to be allowed by the said Justices for discharge of the Parish: Persons aggrieved may appeal to the Quarter-Sessions.

XXXI. But Persons having a Certificate from the Minister of the Parish and one Church-Warden, and one Overseer of the Poor, declaring them Inhabitants there, may go into any Parish to work, and the not returning of such Persons, when their work is finished, or falling sick whilst they are at work, shall not be accounted a settlement: If any return to the Parish from whence they are removed, a Justice of Peace may send them to the House of Correction, to be punished as Vagabonds, or to a Publick Work-house to be imployed in Labour: and if the Church-Wardens and Overseers of any Parish to which any are removed, refuse to receive them and provide them Work, *&c.* a Justice of Peace may bind over such Officers to the Assizes or Sessions.

XXXII. There shall be one or more Corporation or Corporations, Work-house or Work-houses in the Towns and places in the Parishes mentioned in the Weekly Bills of Mortality, consisting of a President, Deputy and Treasurer: The Mayor of *London* to be President of the Corporations in *London*, and the Assistants to be the Aldermen and fifty two Citizens chosen by the Common-Council. The President and *Major* part of the Assistants may elect a Deputy-President, and Treasurer and other necessary Officers, hereby authorized to execute the Powers in this Act. A President, Deputy-President, and Treasurer and Assistants shall be appointed by the Chancellor of *England* of persons inhabiting in *Westminster*, for the Corporations thereof.

XXXIII. For other places within the Bills of Mortality in *Middlesex* and *Surrey*, the Justices of Peace in their Quarter-Sessions shall chuse such Officers out of the Inhabitants of the said Counties respectively, and take an Account of their Receipts and Disbursements, and how many Poor were imployed the Year last past: Every of the said Corporations may without License in Mortmain purchase Lands not exceeding 3000 *l. per annum*, and any Goods whatsoever. Each Corporation or seven of them may keep Courts for these purposes, when and where the President, his Deputy or the Treasurer shall appoint, at the desire of any four of the Corporation, and may appoint a Common Seal.

XXXIV. The President and Governours of the said Corporation, or any two of them, or any appointed by them, may apprehend Rogues, Vagrants, Sturdy Beggars, or disorderly persons, and cause them to be set to work in the several Work-houses.

XXXV. If the President and Governours of any the said Corporations certifie under their Common Seal, their want of a Stock to found the Work, or supply it for the Future, to the Common Council

Council of the City of *London*, the Burgeſſes and Juſtices of Peace of *Weſtminſter*, or the Juſtices of Peace of *Middleſex* and *Surrey* in their Quarter-Seſſions, they ſhall aſcertain ſuch ſums not exceeding one years Rate uſually ſet upon, due for Relief of the Poor, and proportion the ſame upon the ſeveral Diviſions as they think fit: And the Aldermen, Deputies, and Common Council men of every Ward in *London*, and Burgeſſes and Juſtices of Peace of *Weſtminſter*, and Juſtices of Peace of *Middleſex* and *Surrey* may for the ſeveral Precincts tax the Inhabitants. Perſons aggrieved may complain to the next open Seſſions, who ſhall take final Order therein.

XXXVI. Any Alderman of *London* or his Deputy, the Burgeſſes and Juſtices of Peace of *Weſtminſter* or two of them, or two Juſtices of Peace of *Middleſex* and *Surrey* under Hand and Seal may Authorize the Church-Wardens or Overſeers to gather ſuch Mony: and for want of Payment within ten days after demand or notice left in Writing at any Perſons Houſe, to levy the ſame by Diſtreſs and Sale of Goods.

XXXVII. The reſpective Preſident and Governors or any ſeven may make By-Laws (to be preſented to and allowed by the Juſtices of Peace in their Quarter-Seſſions) for the regulating and ſetting the Poor to work, and puniſhing Vagabonds and Beggars. The Preſident and Governors, or any fourteen of them, may chooſe Officers to be imployed about the Premiſſes, and remove them as they ſee cauſe, and make reaſonable Allowances to them out of the Stock. All Miniſters of Juſtice ſhall be aiding and aſſiſting towards the Execution of this Act.

XXXVIII. If Conſtables, Head-Burroughs, or Tything-men die or go out of the Pariſh, two Juſtices of Peace may ſwear new ones, till the Lord of the Mannor hold a Court-Leet, or till the next Quarter-Seſſions: who ſhall approve of them, or appoint others; and if any Officers continue above a year, the Juſtices of Peace may diſcharge them and put in others, till the Lord of the Mannor hold a Court.

XXXIX. Any Juſtice of Peace to whom any Rogue, Vagabond, *&c.* apprehended, ſhall be brought, may reward thoſe that apprehend them, by granting them a Warrant under Hand and Seal to the Conſtable, Head-Burrough, or Tything man, of ſuch Pariſh where ſuch Vagabond, *&c.* paſſed thorough unapprehended, to pay ſuch perſon two Shillings for every Vagabond, *&c.* apprehended, on pain of being proceeded againſt according to the Statutes of 39 *El.* and 1 *Jac. Cap.* 1. and out of the Mony forfeited upon the Statute of 1 *Jac.* may allow the ſaid two Shillings.

XL. They that apprehend Vagabonds, *&c.* at the Confines of a County, which paſſed through any Pariſh in another County unapprehended, may go to a Juſtice of Peace, of that County, who upon Certificate from ſome Juſtice of Peace of the County where ſuch Rogue, *&c.* was apprehended, may grant ſuch Warrants as aforeſaid: And in caſe of refuſal, may cauſe ſuch Conſtable to pay

to ſuch perſons 10 *s.* or ſo much thereof for their Expences and loſs of time, as he thinks fit; which he hath forfeited by 39 *El.*

XLI. Conſtables, Head-Burroughs, and Tything-men out of Purſe for conveying Vagabonds, *&c.* to Houſes of Correction or Work-Houſes, they, the Church-Wardens and Overſeers of the Poor, and other Inhabitants in the Pariſh may tax all chargeable by the 43 *Eliz. Cap.* 2. which rate being confirmed under Hand and Seal by two Juſtices of Peace, the ſaid Conſtables, &c. by Warrant under Hand and Seal of two Juſtices may levy it by diſtreſs and ſale of Goods.

XLII. Church-Wardens and Overſeers for the Poor where any Baſtard-Child ſhall be born, may ſeize ſo much of the Goods and Profits of the Lands of the Putative Father and Lewd Mother, as two Juſtices of Peace ſhall order towards diſcharge of the Pariſh, to be confirmed at the Seſſions: who may make an Order for the Church-Wardens, &c. to diſpoſe of the Goods by ſale or otherwiſe as they ſhall think fit, and receive the Profits of ſo much of their Lands, as ſhall be ordered by the Seſſions.

XLIII. Perſons ſued for what they do in Execution of this Act, may plead the General Iſſue, and give the ſpecial Matter in Evidence; and ſhall have treble Coſts, if the Verdict be for them, or the Plaintiff be non-ſuit or diſcontinue.

XLIV. The Poor in every Town-ſhip or Village in *Lancaſhire, Cheſhire, Darby-ſhire, York-ſhire, Northumberland, Biſhoprick of Durham, Cumberland* and *Weſtmorland* ſhall be provided for in the Town-ſhip and Village where they inhabit, or were laſt legally ſettled: and two or more Overſeers ſhall be choſen in every Town-ſhip, *&c.* who ſhall execute all powers for the Relief of the Poor under the Penalties mentioned in 43 *Eliz. Cap.* 2.

XLV. Juſtices of Peace in the ſaid Counties ſhall execute all ſuch Acts in every Townſhip, as is appointed for them to execute within any Pariſh by 43 *Eliz.* and under the like Penalties for Non-performance.

XLVI. Juſtices of Peace in their Quarter-Seſſions may cauſe to be tranſported Rogues *&c.* duly convicted, and adjudged incorrigible, to *Engliſh* Plantations beyond Sea.

XLVII. The Rights of the Dean and Chapter of the Collegiate Church of Saint *Peter* in *Weſtminſter* ſaved, This Act to continue to the End of the firſt Seſſion of the next Parliament and no longer, except what concerns the Corporations conſtituted hereby.

XLVIII. Stat. 22 *&* 23 *Car.* 2. *Cap.* 18. The Officers of the Corporations Erected and Conſtituted in purſuance of the Act of 14 *Car.* 2. *cap.* 12. ſhall make quarterly Accounts to the Juſtices of Peace, and are not to raiſe any more Mony upon new Certificates, till there be a juſt Account given to, and allowed by the Juſtices of Peace aforeſaid.

XLIX. Debts contracted for the Uſes expreſſed in the ſaid Act, ſhall

ſhall upon Order from the Juſtices aforeſaid be diſcharged by the reſpective Treaſurers, and allowed in their Accounts.

L. No ſums to be levied upon any of the ſaid reſpective Pariſhes, ſhall in one year exceed the fourth part of the Aſſeſsment to the Poor for that year: which ſums ſhall be paid at two ſeveral payments to the Treaſurers, *viz.* at *Michael* and the *Annunciation*, or within fourteen days after.

LI. No Aſſeſsment ſhall be laid on any of the Pariſhes aforeſaid after the 29*th* of *September* 1675.

LII. Nothing herein contained ſhall alter or vacate any of the Powers given by the former Act to the Lord Mayor and Governors for the Corporation within *London*, or the Pariſh of St. *Margarets Weſtminſter*.

LIII. Stat. 22 & 23 *Car.* 2. *c.* 16. An Act for the diſcovery of ſuch as have defrauded the Poor of the City of *London*, of the monies given for their Relief, at the times of the late Plague and Fire, and for recovery of the Arrears thereof. *See the Statute at large.*

LIV. Stat. 1 *Jac.* 2. *cap.* 17. The Act of 13 & 14 *Car.* 2. Entituled, *An Act for the better Relief of the Poor of this Kingdom*: (except what relates to the Corporations thereby conſtituted) ſhall be in force from the firſt day of this preſent Seſſion of Parliament for ſeven years, and from thence to the end of the next Seſſion of Parliament.

LV. And whereas poor perſons at their firſt coming to a Pariſh, do commonly conceal themſelves, the forty days intended by the ſaid Act to make a ſettlement (*vid. ſupra Stat. XXX.*) ſhall be accounted from the time of their deliveries of notice in writing of their Houſe of abode, and the number of their Family, if they have any, to one of the Church-Wardens or Overſeers of the Poor of the ſaid Pariſh.

Poſt-Office.

I. Stat. 12 *Car.* 2. *Cap.* 35. There ſhall be one General Letter-Office in *London*, the Maſter to be appointed by the Kings Letters Patents. None but he and his Agents and their Servants ſhall have the receiving, and ſending, and delivering of all Letters and Packquets, except Letters ſent by Coaches, Carriers, Letters of Merchants and Maſters, by Maſters of any Veſſel of Merchandize or others imployed by them, and Letters ſent by Friends and Meſſengers ſent on purpoſe, and except Meſſengers carrying proceedings out of any Court, or Affidavits.

II. None but ſuch Poſt-Maſter-General, *&c.* ſhall provide Horſes for thorough Poſts and Perſons riding Poſt in Poſt-Roads, that are or ſhall be in *England*, *Scotland* and *Ireland*.

III. The Rates ſhall be as follow, *viz.* For the Port of a Letter not exceeding one ſheet to or from any place not above eighty miles diſtant, 2 *d.* not exceeding two Sheets, 4 *d.* for Packquets of

Letters proportionably: For other Pacquets 8 *d. per* ounce; For a Letter not exceeding one Sheet above eighty miles, 3 *d.* not exceeding two Sheets, 6 *d.* Pacquets of Letters proportionably: Other Pacquets 12 *d. per* Ounce. For a Letter not exceeding one Sheet from *London* to *Berwick*, or back, 3 *d.* not exceeding two Sheets 6 *d.* Pacquets of Letters proportionably: other Pacquets, 1 *s.* 6 *d. per* Ounce. For a Letter from *Berwick* within forty miles distance, 2 *d.* not exceeding two sheets, 4 *d.* Pacquets of Letters proportionably: Other Pacquets 8 *d. per* Ounce. For a Letter not exceeding one Sheet to a further distance, 4 *d.* not exceeding two Sheets 8 *d.* Pacquets of Letters proportionably: Other Pacquets 1 *s. per* Ounce. For a Letter not exceeding one Sheet from *England* to *Dublin* or back, 6 *d.* not exceeding two Sheets, 1 *s.* Pacquets of Letters proportionably: Other Pacquets 2 *s. per* Ounce. For a Letter not exceeding one sheet to or from any place within forty miles of *Dublin* 2 *d.* not exceeding two sheets, 4 *d.* Pacquets of Letters proportionably: other Pacquets 8 *d. per* Ounce. For a Letter not exceeding one sheet further than forty miles, 4 *d.* not exceeding two sheets, 8 *d.* Pacquets of Letters proportionably: other Pacquets 1 *s. per* Ounce.

For Letters and Pacquets conveyed to or from Parts beyond the Seas, as followeth.

Morlaix, St. *Malots*, *Caen*, *Newhaven* and places of like distance, Port paid to *Roan* is, for	Single,	6 *d.*
	Double,	12 *d.*
	Treble,	18 *d.*
	Ounce,	18 *d.*
Hamburg, *Colen*, *Frankford*, Port paid to *Antwerp* is	Single,	8 *d.*
	Double,	16 *d.*
	Treble,	24 *d.*
	Ounce,	24 *d.*
Venice, *Geneva*, *Legborn*, *Rome*, *Naples*, *Messina*, and other parts of *Italy* by way of *Venice*, *Frank* pro *Mantua*	Single,	9 *d.*
	Double,	1 *s.* 6 *d.*
	Treble,	2 *s.* 3 *d.*
	Ounce,	2 *s.* 8 *d.*
Marcelia, *Smyrna*, *Constantinople*, *Aleppo*, and all parts of *Turkey*, Port paid to *Marcelia*.	Single,	1 *s.*
	Double,	2 *s.*
	Three fourths of an Ounce,	2 *s.* 9 *d.*
	Ounce,	3 *s.* 9 *d.*
And for Letters brought from the said places into *England*,	Single,	8 *d.*
	Double,	1 *s.* 4 *d.*
	Treble,	2 *s.*
	Ounce,	2 *s.*

For

For Letters brought into *England* from *Calais*, *Dieppe*, *Bologn*, *Abbeville*, *St. Omers*, *Amiens*, *Montrel*.	Single,	4 d.
	Double,	8 d.
	Treble,	1 s.
	Ounce.	1 s.
Roven.	Single,	6 d.
	Double,	1 s.
	Treble,	1 s. 6 d.
	Ounce,	1 s. 6 d.
Genoa, *Leghorn*, *Rome*, and other places of *Italy*, by way of *Lyons*, *Frank* pro *Lyons*.	Single,	1 s.
	Double,	2 s.
	Three fourths of an ounce,	2 s. 9 d.
	Ounce,	3 s. 9 d.

And of Letters sent Outwards.

To *Burdeux*, *Rochel*, *Nantes*, *Orleans*, *Byon*, *Tours*, and places of like distance, Port paid to *Paris*.	Single,	9 d.
	Double,	1 s. 6 d.
	Treble,	2 s. 3 d.
	Ounce,	2 s.
For Letters from those places into *England*.	Single,	1 s.
	Double,	2 s.
	Three fourths of an Ounce,	3 s.
	Ounce,	4 s.
And Letters sent outwards to *Noremberg*, *Breman*, *Dentzick*, *Lubeck*, *Lipswick*, and other places of like distance, Port paid to *Hamburgh*.	Single,	1 s.
	Double,	2 s.
	Three fourths of an Ounce,	3 s.
	Ounce,	6 s.
Paris,	Single,	9 d.
	Double,	1 s. 6 d.
	Treble,	2 s. 3 d.
	Ounce,	2 s.
Dunkirk, *Ostend*, *Lille*, *Ipre*, *Courtray*, *Gendt*, *Bruffels*, *Bruges*, *Antwerp*, and all other parts of *Flanders*.	Single,	8 d.
	Double,	1 s. 4 d.
	Treble,	2 s.
	Ounce,	2 s.
Sluis, *Flushing*, *Middleburgh*, *Amsterdam*, *Rotterdam*, *Delph*, *Hauge*, and from all other parts of *Holland* and *Zealand*.	Single,	8 d.
	Double,	1 s. 4 d.
	Treble,	2 s.
	Ounce,	2 s.

IV. Merchants Accounts not exceeding one Sheet, Bills of Exchange, Invoyes and Bills of Lading, and Coverts not exceeding one Quarter of a Sheet, of Letters sent to *Marseilles*, *Venice*, or *Leghorn* to be sent forward to *Turkey*, shall pass without Rate. And according to the same Rates to and from any Parts beyond the Seas, where Posts may hereafter be setled. Post-Masters may take for each Horse 3 *d.* a Mile, and 4 *d.* for the Guide for every Stage.

V. Letters and Pacquets brought in any Vessel to any Port-Town other than such as are before excepted, shall be forthwith delivered to the Deputies of the Post-Master-General for the said Port-Town, to be sent forward.

VI. None shall carry or imploy others to carry Letters and Pacquets, other than as before excepted, or provide Horses for thorough-Posts, or Persons riding Post, on pain to forfeit 5 *l.* for every Offence, and 100 *l.* for every Weeks continuance.

VII. But if any Post-Master do not furnish persons riding Post with Horses in half an hours time after demand, such persons may provide for themselves, and such Post-Master shall forfeit 5 *l.* if it happen through his neglect.

VIII. Nothing in this Act shall prohibit the carrying of Letters or Pacquets to or from any place to or from the next Post-Road or Stage.

IX. If the Mail be carried out of *England* in any Vessel not *English* built, and Navigated with *English* Seamen, the Post-Master-General shall forfeit 100 *l.*

X. No person shall be capable of any Imployment relating to the said Office, but such as shall have taken the Oaths of Supremacy and Allegiance before two Justices of Peace of the Counties where they are resident.

XI. A Post shall twice a Week come by the way of *Truro* and *Penrin* to *Morketiew* in *Cornwal*; and once a Week to *Kendal* by way of *Lancaster*, and to *Penrith* in *Cumberland* by way of *Newcastle* and *Carlisle*, and to *Lincoln* and *Grimsby* in *Lincolnshire*.

XII. The Post-Master-General shall continue constant Posts to all places, though out of the Post-Roads, as hath been used three years last past, at the Rates aforesaid, under the penalty of 5 *l.* for every Omission.

XIII. The Post-Master and his Deputies shall observe such Instructions as the King shall ordain. The King may grant the said Office for life or years not exceeding one and twenty, upon such terms as he shall think fit.

XIV. No Horses may be seized for this Service without the Owners consent.

XV. Inland Letters shall pay at the Stage where they are last delivered, unless the party that delivers the same desireth to pay elsewhere: Letters and other things may be sent to and from the two Universities, as hath been used; the one moity of all Forfeitures Imposed by this Act is given to the King, the other to the Informer. *Confirmed* 13 Car. 2. Cap. 3.

XVI. Stat.

XVI. Stat. 15 *Car.* 2. *Cap.* 14. All the Profits accrewing to the King by reaſon of the Poſt-Office, are hereby ſetled upon *James* Duke of *York*, and the Heirs Males of his Body; none of which ſhall be paid into the Exchequer, but to the ſaid Duke, *&c.* or his Receiver-General. The ſaid Duke and his Heirs Males may ſue for the ſame in the Kings Name or their own, by Bill, Plaint, Information, Action of Debt, or otherwiſe in any Court of Law or Equity.

XVII. The King ſhall have the Nomination of the Poſt-Maſter-General, and may grant the ſaid Office for life or twenty one years, under the moſt improved rent that can reaſonably be had, to be reſerved to the ſaid Duke and the Heirs Males of his Body, and under ſuch Covenants, Conditions, *&c.* as he or they think fitting.

XVIII. Stat. 1 *Jac.* 2. *cap.* 12. The King ſhall from henceforth be ſeized of the Revenues and Profits ariſing by the Poſt-Office, of one entire and indefeaſible Eſtate in Feeſimple; the Act laſt above mentioned notwithſtanding.

☞ Prerogativa Regis, &c.

I. Weſt. 1. 50. 3 *E.* 1. Foraſmuch as the King hath Ordained theſe things, *viz.* The Statute of *weſtm.* 1. for the Honour of God and the Church, and for the Commonwealth, and for remedy of ſuch as are grieved, he would not that at any other time it ſhould turn in prejudice of him or of his Crown, but that ſuch Rights as appertain to him ſhould be ſaved in all points.

Preſident of the Council.

I. Stat. 21 *H.* 8. 20. *pars inde.* The Preſident of the Kings Council (if he be preſent) may aſſociate the Lord Chancellor, Treaſurer and Privy Seal, at naming of Sheriffs, ſetting of prices of Wines, and at all other Acts limited (by any Statute) to be done by the ſaid Chancellor and Treaſurer, or Keeper of the Privy-Seal.

Primer Seiſin.

I. Prerog. Reg. 3. 17 *E.* 2. The King ſhall have *Primer Seiſin* after the death of his Tenant in Chief of all the Lands whereof he died ſeized in Demeſn as of Fee, of what Age ſoever the Heir be, taking the Iſſues of the ſame Lands until Inquiſition be made, and he have taken Homage of ſuch Heir.

☞ Priſon, Priſoners, Gaol, Gaolers.

I. Stat. 1 *E.* 3. *Stat.* 1. 7. The Juſtices of either Bench, Aſſize and Gaol-delivery, ſhall hear and determine all Plaints made

againſt

againſt Sheriffs and Gaolers, who ſhall compel or procure Priſoners to become approvers, *viz.* to accuſe others.

II. Stat. 5 *E.* 3. 8. Endictees and Appellees in the Kings-Bench ſhall be ſafely kept in Priſon by the Marſhals there, and not ſuffered to go at large, according to the Charge given them by the Juſtices; and if any complain thereof, the Juſtices ſhall do him Right during the Terms.

III. At the end of every Term, the Marſhals ſhall acquaint the Juſtices in what Town they will keep ſuch Priſoners, and ſhall there allow them Houſes at their own charge.

IV. The Marſhals who ſuffer any ſuch Priſoner to go at large ſhall ſuffer half a years Impriſonment, and be ranſomed at the Kings will, which the Juſtices ſhall have power to inquire of, when they ſee time.

V. The proceedings againſt Marſhals ſhall be within the Verge; and if the Marſhals ſuffer any to eſcape, they ſhall be proceeded againſt according to Law. Howbeit, the King intended not by this Statute to loſe the eſcape, where he ought to have it.

VI. Stat. 14 *E.* 3. *Stat.* 1. 10. Goals which were wont to be in the Sheriffs cuſtody ſhall be again rejoyned to their Bailiwicks, and they ſhall put in ſuch Keepers for whom they will anſwer.

VII. The Gaoler which by *Dures* compels a Priſoner to become an Approver ſhall have Judgment of Life and Member.

VIII. Stat. 13 *R.* 2. *Stat.* 1. 15. The Kings Caſtles and Gaols which were wont to be joyned to the Bodies of the Counties, and be now ſevered, ſhall be rejoyned to the ſame.

IX. Stat. 5 *H.* 4. 10. Juſtices of Peace ſhall impriſon none but in the Common Goal; ſaving to Lords and others (who have Gaols) their Franchiſe in this caſe.

X. Stat. 19 *H.* 7. 10. The Sheriff of every County ſhall have the keeping of the Common Gaol there, except ſuch as are held by Inheritance or Succeſſion; alſo all Letters Patents of the keeping of Gaols for life or years are annulled and void; howbeit, neither the *Kings-Bench* nor *Marſhalſey* ſhall be in the cuſtody of any Sheriff; and the Patents of *Edward Courtney* Earl of *Devon*, and *John Morgan*, for keeping of Priſons, are excepted.

XI. Stat. 6 *H.* 8. 6. The Juſtices of the Kings Bench have power (by their diſcretions) to remand as well the Bodies of Felons, as their Indictments, into the Counties where ſuch Felonies were commited: and alſo to command the Juſtices of Gaol-delivery, of Peace, and all other Juſtices and Commiſſioners there, to proceed and determine ſuch Felonies in like manner, as if their Bodies and Indictments had not been removed.

XII. Stat. 23 *H.* 8. 2. The Juſtices of Peace in *Eſſex*, *Suffolk*, *Dorſet*, *Suſſex*, *Surrey*, *Nottingham*, *Glouceſter*, *Bedford*, *Buckingham*, *Huntington*, *Wilts*, *Kent*, *Warwick*, *Stafford*, *Oxon*, *Leiceſter*, *Rutland*, *Lincoln*, *Hereford*, *Northampton*, *Salop*, *Norfolk*, *Cornwal* and *Derby*, or the greater part of them, in their reſpective Counties, have

have power within one year to appoint the Towns and places within their respective limits where Common Gaols may be edified, and to tax the several Counties for building and furnishing the same. Howbeit, this Tax was not to extend to Corporate Towns having Justices and Common Gaols of their own.

XIII. Felons shall be committed to the said Common Gaols, and not elsewhere; and the Sheriffs shall have the custody thereof, and shall be allowed in their accounts (by the Barons of the *Exchequer*) the Monies expended by them in repair of the same, without any Bill or Warrant of the King to be shewed in that behalf.

XIV. This Act shall not prejudice any person having a Common Gaol by Inheritance, or for life, or years.

XV. Stat. 5 *El.* 24. The Statute of 23 *H.* 8. 2. Is continued for ten years, and shall extend to the Counties of *Pembroke*, *Glamorgan*, *Cardigan*, *Radnor* and *Mountgomery*.

XVI. 13 *Eliz.* 25. The Statute of 23 *H.* 8. 2. and 5 *Eliz.* 24. shall extend to the County of *Cambridge*, and the said Acts shall continue in force ten years after the ten years of continuance mentioned in 5 *El.* 24.

XVII. Stat. 14 *El. c.* 5. Justices of Peace in Sessions, or the more part of them, have power to tax every Parish in the County (but not above 6 *d.* or 8 *d.* a piece) towards the relief of Prisoners; which Tax, the Church-Wardens of every Parish shall levy every *Sunday*, and pay it quarterly to the High-Constable, or (In a Corporation) to the Head-Officer; and the High-Constable or Head-Officer shall pay the same at every Quarter-Sessions to the Collectors thereof, to be appointed by the said Justices, who shall distribute it weekly to the said Prisoners.

XVIII. The Church-Wardens, High-Constables, Head-Officers or Collectors aforesaid, which herein shall be found negligent, shall forfeit 5 *l.* to be divided betwixt the Queen and the Prisoners.

XIX. Justices of Peace within the County shall not intermeddle with a Corporation for the execution of this Act; but only the Mayor and Head-Officers of the same.

XX. Stat. 3 *Jac.* 1. 10. An Offender which is to be conveyed to the Gaol shall bear all charges, both of himself and of those that convey him.

XXI. If he refuse so to do, upon a Warrant from a Justice of Peace, the Constable of the Town-ship where he hath any Goods (being within the same County) may sell so much thereof as in the discretion of the said Justice shall be thought sufficient to satisfie the said charges: the appraisment thereof to be made by the Neighbours there, and the overplus to be rendred to the said Offender.

XXII. If the Offender hath no Goods to satisfie the Charges, the Constables, Church-Wardens, and two or three other honest Inhabitants, or, in case there be no such Officers there, four of the principal Inhabitants of the Parish where he was taken, shall make a Tax, according to which (being allowed under the hand of a

Justice

Juſtice of Peace) every Inhabitant ſhall pay the ſaid charges; and upon refuſal (by Warrant from a Juſtice of Peace) the Conſtable, Tithing-man or other Officer, hath power to levy the ſame by diſtreſs, and after appraiſment by four Inhabitants there) to ſell the ſame, rendring the Overplus to the party ſo refuſing.

XXIII. Here, if the Officer that diſtrains be ſued, he ſhall plead juſtification; and upon Verdict for him, or Non-ſuit of the Plaintiff, ſhall recover treble damages, beſides coſts of Suit.

XXIV. Stat. 2. 13 *Car.* 2. *c.* 2. They that have cauſe of Perſonal Action againſt a Priſoner of the *Fleet*, may ſue an Original, and a Writ of *Habeas Corpus*, ſhall be granted them to the Warden of the *Fleet* to have ſuch Priſoner before the Court of *Common-Pleas* to anſwer the Plaintiff; and if the Plaintiff put in his Declaration according to the Original againſt the Priſoner preſent at the Bar, the Priſoner ſhall be bound to appear in perſon or put in an Attorny; and unleſs the Defendant plead upon a Rule to be out at eight days at the leaſt, Judgment by *Nihil dicit* may be entred; and ſuch charge in Court by Declaration ſignified by Rule to the Warden, ſhall be good cauſe to detain ſuch Priſoner, who ſhall not be diſcharged without *Superſedeas*, or Rule of Court; elſe the Warden to be reſponſible to the Court, and to the party in an Action on the Caſe.

XXV. Stat. 19 *Car.* 2. *Cap.* 4. The Juſtices of Peace at their General Seſſions may provide a Stock of ſuch Materials as they think convenient, to ſet poor Priſoners committed to the Gaol for Felony and other Miſdemeanors on work, in ſuch manner as other County-charges are levied: and may pay and provide fit perſons to overſee and ſet them on work, and make orders for Accounts concerning the Premiſſes, and puniſhment of abuſes, and beſtowing the profit ariſing by ſuch labour for the Priſoners relief. No Pariſh ſhall be rated above 6 *d.* by the week.

XXVI. Sheriffs or others having cuſtody of the Gaol, with conſent of three Juſtices of the Peace, whereof one to be of the *Quorum*, may, if upon emergent occaſions they find it needful, provide other places for the removal of ſick or other perſons out of the uſual Gaols; provided that no ſuch place be uſed for the ſaid purpoſe againſt the good will of the owner.

XXVII. The Mayor, Bailiff and other Head-Officer, or others having the cuſtody of any Gaol within any Corporation, with advice of three Juſtices within the ſaid Corporation, whereof one to be of the *Quorum*, in time of Infection have the like power of removing their Priſoners; and to raiſe a Stock *ut ſupra*.

XXVIII. Stat. 22 & 23 *Car.* 2. *c.* 20. Any Juſtice of Peace may by Warrant require the Sheriff, Gaoler, or Keeper of any Priſon within his Juriſdiction to bring the Body of any perſon being in Priſon for Debt on the 14*th* day of *April*, 1671. or damages, to ſome place within a mile of the Priſon, and to certifie the cauſe of his Impriſonment, and in caſe ſuch Priſoner ſhall take this Oath, *viz.*

I A. B.

I A. B. do upon my Corporal Oath solemnly profess and declare before Almighty God, that I have not any Estate real or personal in possession, Reversion, or Remainder of the value of ten pounds in the whole, or sufficient to pay the Debt or Damages for which I am imprisoned; and that I have not directly or indirectly sold, leased or otherwise conveyed, disposed of, or entrusted all or any part of my Estate, thereby to secure the same, to receive or expect any profit or advantage thereof, or defraud or deceive any Creditor or Creditors whatsoever to whom I stand indebted.

XXIX. After the taking of which Oath the Justice shall remand the Prisoner, and give him a Certificate thereof to be served on, or left at the place of abode of such Persons at whose Suit he stands charged, thereby appointing them and the Prisoner to appear at the next Quarer-Sessions, when upon Oath that such Certificate was so served or left forty days or more before the Sessions; and if the said Oath taken by the Prisoner be not disprov'd upon Oath, the Justices shall by Warrant command the Sheriff, Gaoler, &c. to discharge such Prisoner without Fees.

XXX. Provided, that if the Creditor or Creditors will notwithstanding insist to have such prisoner continued in gaol, that then they allow him a weekly maintenance, such as the said Commissioners of the Peace, or any three of them shall appoint, not exceeding 18 *d.* a week, upon non-payment whereof, the prisoner shall be set at liberty.

XXXI. In any Action against any Sheriff, Goaler, or Keeper of Prison for any thing done in obedience to this Act, the Defendant may plead the general Issue and give this Act in evidence; and if the Plaintiff be Non-suit, or Verdict pass against him, the Defendant shall have double Costs.

XXXII. Yet all Judgments had against such Prisoners shall stand good against their Lands, Tenements, Hereditaments, Goods and Chattels, except their wearing Apparel, Bedding for themselves and their Families, and Tools necessary for their Trade.

XXXIII. Prisoners convicted upon any Indictment by confession or verdict of false swearing in any point or Article of the said Oath, shall suffer the pains and forfeitures inflicted by 5 *to Eliz.* on persons convict of wilful Perjury; and the Court by Process out of which he was imprisoned, shall award a *Ca. ja. infinite*, or other Process for apprehending him, and remand him to the Prison whence he was dismist: where he shall be in Execution, as if never discharged, and the Execution upon his Lands and Goods, if any have been in the mean time, shall be good in Law.

XXXIV. Any Sheriff, Gaoler, or Keeper of Prison that shall refuse to bring or discharge any Prisoner in manner aforesaid, shall forfeit to such Prisoner 100 *l.* to be recovered by Action of Debt in any Court of Record, and be subject to such Fine and Imprisonment as the said Justices shall order.

XXXV. If any Officer whatsoever shall have in his custody any person by vertue or colour of any Process or Warrant, he shall

not

not convey ſuch perſon to any Victualling or Drinking-houſe, without his conſent, ſo as to charge him with any ſum of Mony for Meat or Drink, &c. nor ſhall take more than by Law may be taken for ſuch Arreſt, or Waiting, (till the Priſoner have procured an Appearance, found Bail, agreed with his Adverſary, or be ſent to Gaol) nor exact any other reward for ſo keeping ſuch perſon out of Gaol, than what he ſhall freely give: nor take more for each nights lodging or other expences, than what ſhall be judged reaſonable by the next Juſtice of Peace, or at the next Quarter-Seſſions: nor ſhall cauſe ſuch perſons to pay for any other thing than what himſelf ſhall call for.

XXXVI. Priſoners ſhall be permitted to ſend for their neceſſary Food whence they pleaſe: and to uſe ſuch Bedding, Linnen, and other things as they think fit, without purloyning, detaining, or paying for the ſame; nor ſhall any Officer demand of them greater Fees for their Commitment or Diſcharge, or Chamber-rent, than what is allowable by Law, till the ſame ſhall be ſetled by three Juſtices of the Peace, whereof one to of the *Quorum* within their ſeveral Precincts: and for the City of *London* and Counties of *Middleſex* and *Surrey*, the two Lord Chief Juſtices and the Lord Chief Baron, or two of them, and the Juſtices of the Peace in their ſeveral Juriſdictions.

XXXVII. The two Lord Chief Juſtices, the Lord Chief Baron, and Juſtices of Peace in their ſeveral Juriſdictions, and all Commiſſioners for Charitable Uſes ſhall endeavour to find out all Gifts and Bequeſts for the Benefit of poor Priſoners for Debt: and may ſend for any Writings whatſoever and Perſons concerned therein, and examine them upon Oath, and ſettle the ſame ſo as the Priſoners may not be defrauded.

XXXVIII. Such Accounts of the ſaid Gifts and Bequeſts, and the ſeveral rates of Fees and future Government of Priſons, ſhall be ſigned by the Lords Chief Juſtices, and Lord Chief Baron, or two of them, and the Juſtices of Peace for *London*, *Middleſex* and *Surrey*, by the Judges for the Circuits, and the Juſtices of Peace in their Precincts, and hung up in a Table in each Priſon, before the firſt of *November* 1671. and Regiſtred by the Clerks of the Peace.

XXXIX. Priſoners for Debt and Felons ſhall not be lodged together in one Room: Any Sheriff, Gaoler, or Keeper of Priſons offending herein, ſhall loſe his place, and treble damages to the party grieved, to be recovered by vertue of this Act.

XL. Stat. 30 *Car.* 2. All perſons being in Priſon on the 29*th* day of *May* 1678. for Debt or Damages, or upon any Action or mean Proceſs for Debt, Account or Treſpaſs upon the Caſe, or that have Judgments upon Record againſt them, or are charged in Execution, or impriſoned upon Attachments for Debt, or upon any Proceſs whatſoever out of any Court of Law or Equity, for Debt or Damages, or Coſts only, may be diſcharged in ſuch manner as ſuch as were in Priſon on the 14*th* of *April*, 1671.

XLI. Every

XLI. Every Clauſe in the Act of 22 & 23 *Car.* 2. *Cap.* 20. ſhall be conſtrued to the benefit of ſuch as ſhall be in Priſon on the 29*th* of *May* 1678. as fully, as for ſuch as were in Priſon on the 14*th* of *April* 1671.

XLII. The weekly maintenance mentioned in the ſaid former Act ſhall be paid to the Priſoner himſelf, and if within three months after ſuch weekly allowance no Eſtate of the Priſoner ſhall be diſcovered before two Juſtices of the Peace, the Priſoner ſhall be diſcharged by Warrant under two Juſtices Hands and Seals: and all Priſoners by this or the former Act diſcharged, are acquitted from payment of any Fees.

XLIII. No Priſoner diſcharged by this or the former Act, ſhall hereafter be impriſoned for any Debt, Damages or Sums of Mony grown due to, or recovered by any perſon ſerved, as by the ſaid Act is appointed, before the time of his diſcharge; but upon any Action for the ſame, ſhewing a duplicate of his diſcharge, may retain an Attorney to appear for him and file common Bail, ſo that the Plaintiff may recover and enter Judgment, to be levied on the Lands, Tenements, Goods and Chattels of ſuch Priſoner, his Apparel and Furniture for his Houſe, (ſuch Furniture not exceeding ten pounds in value) and neceſſary Tools for his Trade only excepted, but not upon his Perſon.

XLIV. Sheriffs, Gaolers and Keepers of Priſons that ſhall refuſe and delay to bring and diſcharge any Priſoner according to the order of the Juſtice or Juſtices, ſhall forfeit to ſuch Priſoner 20 *l.* and be ſubject to ſuch Fine and Puniſhment as the ſaid Juſtices upon complaint ſhall order.

XLV. Upon any Action brought againſt any Officer for any thing done in obedience to this Act, the Defendant may plead the general Iſſue and give this Act in evidence; and if the Plaintiff be Nonſuit or Verdict paſs againſt him, the Defendant ſhall recover double Coſts.

XLVI. The diſcharge of any perſon by vertue of this Act ſhall not diſcharge any other perſon bound for the ſaid Debt as Principal or Surety.

XLVII. No perſon ſhall be diſcharged by this Act, that ſhall not before ſuch Oath made, have remained ſix months in Priſon.

XLVIII. No perſon ſhall be diſcharged by this Act, who ſhall ſtand charged in Execution with more than 500 *l.* principal Mony.

XLIX. No Creditor ſhall be bound to make any weekly allowance as aforeſaid, where any perſon bound to maintain ſuch Priſoner in diſcharge of the Pariſh, is of ability ſo to do.

L. Any Creditor ordered to make allowance as aforeſaid, may within one week after notice of ſuch order, at his own charge cauſe his Priſoner, being a Handy-crafts-man or day-Labourer, to be removed to any publick Work-Houſe in the ſame County, or within twenty miles of the Priſon, there to be held to labour, and ſhall contribute towards his maintenance only, what ſhall be requiſite

requiſite above the profit of his labour, to be aſcertained by the two next Juſtices of Peace: and if ſuch profit exceed his maintenance, one moity of the overplus ſhall go to the payment of his Debts, and the other to the Priſoner himſelf to be diſtributed by the two next Juſtices of Peace.

LI. After two years continuance at any Work-houſe, the Priſoner ſhall be diſcharged.

LII. Such commitment to a Work-houſe as aforeſaid, to be by a Judge of the Court to which he is a Priſoner, or the two next Juſtices of Peace to ſuch Work houſe.

LIII. At any Creditors requeſt, the ſaid Oath ſhall be tendred again to any Priſoner releaſed by virtue of this Act, by any impowered to adminiſter it, or any Judge of the Court wherein there is Judgment againſt him, and upon refuſal the Priſoner ſhall be remanded in Execution.

LIV. This Act ſhall not extend to perſons in Execution for any Fine for offences committed before the 29*th* of *May* 1678.

LV. Perſons detained upon mean-proceſs, if deſired, ſhall give a Warrant to ſome Attorney to appear or file common Bail, and receive a Declaration, and thereupon have the Benefit of this Law as fully as if charged in Execution before the 29*th* of *May* 1678.

LVI. No Forreigner for any Debt contracted beyond Sea ſhall have any benefit by this Act.

LVII. No Priſoner ſhall be diſcharged until he ſhall declare upon Oath, what Effects are belonging or Debts owing to him, and by whom, for what cauſe, and upon what ſecurity, of which a Schedule ſhall be made in the preſence of the Juſtices impowered to diſcharge him, and ſubſcribed by the Priſoner, and by the Juſtices returned to the next Seſſions for the Creditors to ſue thereupon in the Priſoners name, rendring the overplus of what they recover and receive, to the Priſoner.

LVIII. If any perſon ſhall forſwear himſelf in taking the ſaid Oath, he ſhall ſuffer ſeven years impriſonment without Bail, over and above what may by any Law now in being be inflicted.

Prize-Ships.

I. **Stat.** 19 *Car.* 2. *cap.* 11. All Forreign built Ships, which have during the late War, or ſhall be taken in the places yet in Hoſtility as Prizes, and have been or ſhall be adjudged Prizes, ſhall enjoy the benefit of free Ships, and export and import Goods, &c. as freely as Forreign built Ships that did belong to the Kingdom of *England* before the firſt day of *April* 1661. might then have done, and not in any other manner.

II. Provided that the Owners of ſuch Ships ſhall take an Oath at or before the firſt day of *Auguſt* next, or within three months after ſuch Ships ſhall be adjudged Prize, before the Officers of the Cuſtoms, that they are the true Owners of the ſame, and that no

no Forreigner hath any ſhare therein, and that they produce the condemnation of the Ship, as taken during the late War, by a Court of Admiralty of *England* or *Ireland*.

III. The Officers before whom ſuch Oath ſhall be made, ſhall give Certificates under the Seal of their Office, to ſuch as ſhall demand the ſame of all Forreign built Ships, and keep a Regiſter of the ſame, and within two months after ſuch Oath made ſhall return a Duplicate thereof to the chief Officers of the Cuſtoms at *London*, *Dublin*, and his Majeſties Plantations reſpectively; the ſaid Officers at *Dublin* and the Plantations, being within two months after ſuch Oath ſo made, to return Certificates thereof to the Officers of the Cuſtoms at *London*, with the Owners names, to the end they may be returned into the *Exchequer*.

Probat of Teſtaments.

* I. Stat. 31 *E.* 3. 4. Biſhops ſhall reſtrain their Officers from taking exceſſive Fees for Probats of Teſtaments, in pain to have them indicted before the Juſtices for Extortion, as hath been heretofore uſed.

II. Stat. 21 *H.* 8. 5. Nothing ſhall be given for the Probat of Wills or Commiſſions of Adminiſtration, when the Goods of the Dead exceed not 5 *l.* ſave only 6 *d.* to the Regiſter: Nevertheleſs, the Judge ſhall not refuſe to prove ſuch a Teſtament, being exhibited unto him in writing, with Wax ready to be ſealed and proved, *communi forma*, but ſhall diſpatch the party without delay.

III. For the Probat of a Will, and all other things concerning the ſame, when the Goods of the Dead exceed 5 *l.* but not 40 *l.* the Judges Fee is 2 *s.* 6 *d.* as before, and the Regiſters 12 *d.* and when they exceed 40 *l.* the Judges Fee is 2 *s.* 6 *d.* as before, and the Regiſters as much: or the Regiſter may refuſe the 2 *s.* 6 *d.* and take a penny for ten lines of the Will, each line being conceived to contain ten inches in length. And for theſe Fees they ſhall diſpatch the party without fruſtatory delay.

IV. Where there is no Will, or the Executors refuſe it, Adminiſtration ought to be committed to the Inteſtates Widow, if he left any, or to the Widow and the next of the Kindred, or (in caſe he left no Widow) to one or more of the Kindred, or (in caſe they look not after it) to any Creditor or Creditors that deſire it, or (in caſe they alſo neglect it) to any other perſon or perſons, at the diſcretion of the Ordinary; who is enjoyned to take ſecurity of ſuch Adminiſtrators for the due adminiſtration of the Inteſtates Goods.

V. Nothing ſhall be given for Letters of Adminiſtration, when the Inteſtates Goods exceeds not 5 *l.* and when they exceed 5 *l.* but not 40 *l.* the Officers Fees are only 2 *s.* 6 *d.*

VI. The Executors or Adminiſtrators, calling to them two or more Creditors, or ſo many of the next of the Kin, or (in their default) two or more Neighbours, or Friends to the dead, ſhall in their

preſence cauſe a true Inventory to be made of the Goods, and ſhall deliver the ſame in upon Oath unto the Ordinary indented, whereof one part ſhall remain with the Ordinary, and the other with the Executors or Adminiſtrators.

VII. The Judge or Ordinary ſhall not refuſe to receive any Inventory indented ſo tendred unto him in Court, together with his Oath to verifie the ſame.

VIII. Lands deviſed to be ſold ſhall not be accounted any of the Teſtators Goods.

IX. The Fee of the Copy either of the Will or Inventory, is the ſame with that above allowed for regiſtring of the Will; or elſe the Regiſter may take a penny for every ten lines of the length as aforeſaid.

X. The Officer that takes more than his due Fee, ſhall forfeit that exceſs to the party grieved, and beſides 10 *l.* to be divided betwixt the King and the ſame party grieved.

XI. This Act ſhall not alter the Cuſtom where leſs Mony hath been for probat of Teſtaments.

XII. The Ordinary may convent Executors to prove the Teſtators Will, and to bring in the Inventory, as before, notwithſtanding this Act.

☞ Proceſs.

I. **Artic. ſuper Chart.** 15. 28 *E.* 1. The Summons and Attachments of Plea of Land ſhall contain fifteen days; except Attachment of Aſſizes in the Kings preſence, and Pleas before Juſtices in the *Eyre* during the *Eyre*.

II. **Stat.** 5 *E.* 3. 11. Juſtices aſſigned to hear and determine Felonies ſhall direct their Writs to all the Counties of *England*, where need ſhall be, to take perſons indicted or outlawed for Felony.

III. **Stat.** 25 *Stat.* 5. 17. Proceſs ſhall be made in a Writ of Debt and Detinue of Cattle, and taking of Beaſts by Writ of *Capias*, and by proceſs of *Exigent* by the Sheriffs return, as is uſed in a Writ of Accompt.

IV. **Stat.** 6 *H.* 6. 1. Upon Indictment of any perſon in the Kings-Bench for Treaſon, Felony, or Treſpaſs, a *Capias* ſhall be awarded againſt him, as well to the Sheriff of the County where he was ſo indicted, as of the County whereof he is named in the Indictment, returnable (at leaſt) ſix weeks after, before an *Exigent* ſhall be awarded: and if any *Exigend* ſhall be awarded, or Outlawry pronounced before ſuch return, they ſhall be void. This Ordinance ſhall endure as long as it ſhall pleaſe the King.

V. **Stat.** 8 *H.* 6. 10. Upon every ſuch Indictment or Appeal (before Juſtices of Peace, or other Commiſſioners) or any perſon dwelling in any other County, than where the Indictment or Appeal was taken, before any *Exigend* be awarded thereupon, after the firſt *Capias* returned, another ſhall iſſue out againſt him to the

Sheriff

Sheriff of the County, where he is ſuppoſed, by the Indictment, to be moſt converſant, returnable three months after, before the Juſtices or Commiſſioners, before whom he was ſo Indicted or appealed, where the Counties are holden from month to month, but four months after, where they are holden from ſix weeks to ſix weeks.

VI. In this ſecond *Capias* the Sheriff ſhall be commanded to take him, if he be in his Bailwick; but if he cannot find him, then to make Proclamation at two ſeveral Counties before the return thereof, that he appear at the return; at which time, if he come not, an *Exigend* ſhall be awarded: And every *Exigend* awarded, or Outlawry pronounced otherwiſe, ſhall be void.

VII. The Statute of 6 *H.* 6. 1. is confirmed; and an Action upon the Caſe is maintainable by the party wrongfully indicted or appealed againſt the Procurer thereof, wherein he ſhall recover treble damages, and the Proceſs thereof ſhall be as in Treſpaſs *vi & armis*.

VIII. This Act ſhall not extend to Indictments or Appeals taken in the County of *Cheſter*.

IX. If the Indictee or Appellee happen to be converſant in the County where the Indictment is found, at the time of the finding thereof, like Proceſs ſhall be made againſt the perſon as heretofore hath been uſed.

X. Stat. 10 *H.* 6. 6. The Statute of 8 *H.* 6. 10. is confirmed.

XI. When ſuch Indictments or Appeals as are mentioned in the Statute of 8 *H.* 6. 10. are removed by *Certiorari* into the Kings-Bench, like Proceſſes and Returns ſhall be iſſued and obſerved in that Court, as the Juſtices or Commiſſioners are ordered to iſſue and obſerve by the ſame Statute: and *Exigents* or *Outlawries* otherwiſe awarded or pronounced ſhall be void.

XII. Stat. 19 *H.* 7. 9. Like Proceſs ſhall be hereafter had in Actions upon the Caſe ſued in the Kings Bench, or Common Pleas, as in Actions of Treſpaſs or Debt.

XIII. Stat. 23 *H.* 8. 14. Like Proceſs ſhall be had in every Action hereafter to be brought upon the Statute of 5 *R.* 2. 7. (*which ſet in* Forcible Entry) as in Treſpaſs; and the like Proceſs alſo in every Writ of *Annuity* and *Covenant* as in *Debt*.

XIV. Stat. 8 *El.* 2. When any perſon ſhall ſue forth of the *Kings-Bench* any *Latitat*, *Alias* and *Pluries Capias* againſt any perſon, who thereupon doth appear and put in Bail, if the Plaintiff do not declare within three days after, or do after Declaration delay or diſcontinue his Suit, or be Non-ſuit, the Judges of that Court ſhall thereupon award damages againſt the Plaintiff.

XV. The like ſhall de done in the Courts of the *Marſhalſea*, *London*, and all other Corporations and Liberties, where the Courts are kept *de die in diem*; but where they are not ſo kept, then the Plaintiff muſt declare at the next Court after appearance, unleſs he have longer time allowed him by the Court.

XVI. If any ſhall maliciouſly (for vexation and trouble) cauſe or procure any perſon to be arreſted or attached, to anſwer in any of the ſaid Courts, at the Suit of any perſon, whereas there is none ſuch, or without the conſent or agreement of the party at whoſe Suit ſuch Arreſt or Attachment is procured; the party ſo cauſing or procuring the ſame, and thereof convict by Indictment, Preſentment, the Teſtimony of two or more Witneſſes, or other due proof, ſhall ſuffer ſix months impriſonment without bail, and ſhall not be enlarged, until he hath ſatisfied the party grieved his treble damages; and beſides, ſhall forfeit unto him (if he be known) 10 *l.* to be recovered (as alſo the ſaid treble damages) by Action of Debt, Bill, or Plaint, in any Court, againſt the party ſo offending, his Executors or Adminiſtrators, in which no Eſſoin &c. ſhall be allowed.

XVII. Stat. 12 *Car.* 2. *Cap.* 3. No Judicial proceedings commenced or proſecuted before the fifth day of *May*, 1660. in the Stile or Teſte of *Cuſtodes Libertat. Angliæ, &c.* or Keepers of the Liberty of *England*, &c. or of *Oliver* Lord Protector, &c. or of *Richard* Lord Protector, &c. ſhall be abated by his Majeſties reaſſumption of the Government, neither ſhall the ſame be cauſe of Error.

XVIII. One pretended Act made in 1650 for turning the Books of the Law and all proceedings in Courts of Juſtice into *Engliſh*, ſhall be in force, as if it had been a good Act, from the firſt return of *Eaſter* Term in 1651. to the firſt day of *Auguſt* in 1660. and no longer. Alſo one other pretended Act made in 1650. wherein it was mentioned to be enacted, That it ſhould be lawful for any perſons, by reaſon of any matter to be pleaded in bar to any Action in any Court of Record, to plead the general Iſſue and give the ſpecial matter in evidence, ſhall be in force as touching the pleading of the general Iſſue, until the firſt of *Auguſt*, 1660. as if it had been a good Act of Parliament.

XIX. Stat. 2. 13 *Car.* 2. *Cap.* 2. In all perſonal Actions and Actions of *Ejectione firmæ* by original Writ in the Kings Bench or Common Pleas after Iſſue joyned and Judgment had, there ſhall not need to be fifteen days betwixt the *Teſte* and return of any *Ven. Facias*, *Hab. Corp. Jur.* or *Diſtr. Jur. Fieri Fac.* or *Ca. Sa.* other than *Cap. ad Sat.* whereon a Writ of *Exigent* after Judgment is to be awarded, and *Cap. ad Sat.* againſt a Defendant in order to make a Bail liable.

XX. This Act ſhall not extend to popular Actions, except Debt upon 2 *Ed.* 6. for Tithes.

Prochein Amy.

I. Weſt. 1. 48. 3 *E.* 1. If a Chief Lord being Guardian make Feoffment of the Heirs Land, the Heir ſhall forthwith recover it by Aſſize of *Novel Diſſeiſin* againſt his Guardian and the Tenant, and

and the ſeiſin ſhall be delivered by the Juſtices to the next Friend to the Heir, (to whom the Inheritance cannot deſcend) to improve it for the uſe of the Heir, and to anſwer him for the Iſſues at his full age, and the Guardian ſhall loſe the Cuſtody of the thing recovered, and all the Inheritance that he holdeth by reaſon of the Heir: but if the Guardian be a mean Lord, he ſhall loſe the Wardſhip of all, and be grievouſly puniſhed by the King.

II. If the Infant be carried away, or diſturbed by the Guardian of his Feoffee, or any other, ſo that he cannot ſue his Aſſize, his *Prochein Amy* ſhall be admitted to do it for him.

III. Weſt. 2. 15. 13 *E.* 1. If an Infant be eloined, ſo that he cannot ſue perſonally, his *Prochein Amy* ſhall be admitted to ſue for him.

Prohibition and Conſultation.

I. Stat. *De Circumſpecte agatis*, 13 *E.* 1. For Penance corporal or pecuniary injoyned for deadly ſin, as Fornication, Adultery, or the like; alſo for not fencing the Church-yard, or not repairing the Church or ſufficiently adorning it, a Prohibition lieth not; nor for Oblations, Tithes, Mortuaries, Penſions, laying violent hands upon a Clerk, Defamation, (when Mony is not demanded) nor for breaking an Oath.

II. Stat. *De Conſultatione*, 24 *E.* 1. When the Chancellor or Chief Juſtices (upon ſight of the Libel) conceive that the Plaintiff cannot have remedy in any Temporal Court, the Plaintiff ſhall have Conſultation, *viz.* the ſaid Chancellor or Chief Juſtice ſhall write to the Eccleſiaſtical Judges before whom the cauſe depends, that they proceed therein notwithſtanding the Kings Prohibition.

III. Artic. Cler. *Cap.* 1. 9 *E.* 2. For Tithes, Oblations, Obventions or Mortuaries, when they are propounded under thoſe names, the Kings Prohibition ſhall not hold place, albeit for the long with-holding of them they come to a pecuniary eſtimation: but if an Eccleſiaſtical perſon lodge his Tithes in his Barn, and then ſell them for Mony, if that Mony be demanded before a Spiritual Judge, for this a Prohibition lieth; for by the ſale they are made Temporal.

IV. *Cap.* 2. If debate ariſe upon the right of Tithes, (having his Original from the right of the Patronage) and the quantity of the ſame Tithes do amount to a fourth part of the Goods of the Church, for this a Prohibition lieth: alſo if a Pecuniary Penance be demanded in the Court Chriſtian, a Prohibition lieth. But if a Prelate injoyn Corporal Penance, and the party afterwards commutes for Mony, that Mony is recoverable in the Court Chriſtian, and in that caſe a Prohibition lieth not.

V. *Cap.* 3. If any lay violent hands upon a Clerk, the amends for the Peace broken ſhall be before the King, and for the Excommunication before a Prelate: and if Corporal Penance be

injoyned, and the Offender will redeem it with mony to give to the Prelate or the party grieved, it ſhall be required before the Prelate, and the Kings Prohibition lieth not.

VI. *Cap.* 4. Alſo in Defamations the Prelates may correct, notwithſtanding the Kings Prohibition.

VII. *Cap.* 5. No Prohibition ſhall be granted where Tithe is demanded out of a Mill newly erected.

VIII. Stat. 1 *E.* 3. *Stat.* 2. 11. A Prohibition is granted againſt thoſe who in the Spiritual Court do ſue their Indictors.

IX. Stat. 18 *E.* 3. *Stat.* 3. 5. No Prohibition ſhall be awarded but where the King hath Conuſance.

X. Stat. 45 *E.* 3. 3. A Prohibition (and an Attachment thereupon) ſhall be granted, where a Suit is commenced in the Spiritual Court for the Tithes of Underwood above twenty years growth in the name of *Sylva cædua.*

XI. Stat. 50 *E.* 3. 4. No Prohibition ſhall be allowed after Conſultation duly granted, ſo as the matter in the Libel be not changed.

☞ Prophecies.

* I. Stat. 5 *E.* 15. None ſhall publiſh or ſet forth any phantaſtical or falſe Prophecy with an intent to raiſe Sedition, in pain to forfeit for the firſt Offence 10 *l.* and to ſuffer one whole years impriſonment; and for the ſecond, all his Goods, and to incur impriſonment during life; which ſaid forfeitures are to be divided betwixt the Queen and the Proſecutor.

II. Juſtices of Aſſize, *Oyer* and *Terminer*, and Peace, have power to hear and determin this Offence, being proſecuted within ſix Months, otherwiſe not.

Protection.

I. Stat. *De Protectionibus*, 33 *E.* 1. A Challenge ſhall be entred againſt a Protection of the Kings Servant; and if the Country paſs againſt him that caſt the Protection, it ſhall turn to a default, if he be Tenant; and if he be demandant, he ſhall loſe his Writ, and ſhall ſo be amerced to the King.

II. Stat. 25 *E.* 3. *Stat.* 5. 19. Notwithſtanding the Kings Protection of his Debtor, other Creditors may proceed to Judgment againſt him, with a *Ceſſet executio* until the Kings Debt be paid: and here, if the Creditors will undertake for the Kings Debt, they ſhall have Execution againſt the Debtor, both for their own Debts, and likewiſe for ſo much as they have paid the King.

III. Stat. 1 *R.* 2. 8. No Protection with the clauſe of *Volumus* ſhall be allowed for Victuals taken or brought upon the Voyage or Service whereof the Protection maketh mention; neither

ther yet in Pleas of Treſpaſs or Contracts made after the date of the ſame Protection.

IV. Stat. 13 *R.* 2. 16. No Protection with the clauſe of *Quia proficturus* ſhall be allowed in any Plea whereof the Suit was commenced before the date of ſuch Protection: except in a Voyage where the King goeth in perſon, or other Voyages Royal, or in the Kings Meſſages. Howbeit this Act will not infringe Protections with the Clauſe of *Quia moratur:* and if the party protected tarry more than a convenient time in the Country without going to the Service, or return from the Service, the Chancellor, having notice thereof, ſhall repeal his Protection.

V. Stat. 7 *H.* 4. 4. In an Action of Debt brought againſt the Gaoler which letteth a Priſoner eſcape, a Protection ſhall not lie.

Provision and Premunire.

* I. Stat. 25 *E.* 3. *Stat.* 5. 22. He that purchaſeth a Proviſion in *Rome*, for an Abby or Priory ſhall be out of the Kings Protection, and any man may do with him as with the Kings Enemy. *But this is altered by* 5 El. 1. *which ſet in* Crown.

II. The Statute of *Proviſors* 25 *E.* 3. *Stat.* 6. made to prevent Collations of Benefices in *England* by the Pope to the Proviſors or Procurors thereof, as well Aliens as Denizens: And here, the penalty was impriſonment without bail, until he ſhould make fine to the King, and ſatisfaction to the party grieved, if he were taken; but if not, the *Exigent* ſhould run againſt him.

III. Stat. 27 *E.* 3. *Stat.* 1. *c.* 1. A *Præmunire* is granted againſt ſuch as ſue in a foreign Realm, or impeach there any Judgment given in any of the Kings Courts, for any matter whereof the Kings Courts may take Conuſance: The penalty is, to be out of the Kings protection, to forfeit all their Lands and Goods, and to be impriſoned, and ranſomed at the Kings Will, if they may be found; but if not, they ſhall be put in *Exigent*, and outlawed.

IV. Stat. 3 *R.* 2. 3. None ſhall take a Benefice of an Alien, nor convey any Mony to him for the farm thereof, in pain of a *Præmunire.*

V. Stat. 7 *R.* 2. 12. No Alien ſhall purchaſe a Benefice in this Realm, nor occupy the ſame without the Kings Licence, in pain of a *Præmunire.*

VI. Stat. 12 *R.* 2. 15. If any go out of the Realm to procure (by way of Proviſion) a Benefice within the Realm, he ſhall be out of the Kings protection, and the Benefice ſhall be void.

VII. Stat. 13 *R.* 2. *Stat.* 2. 3. A Confirmation of the Statute of Proviſors 25 *E.* 3. and if any accept of a Benefice contrary to the ſaid Statute, he ſhall incur a *Præmunire*, and ſuffer perpetual baniſhment.

VIII. Stat. 16 *R.* 2. 5. None ſhall purchaſe Bulls or other Inſtruments from *Rome*, or elſewhere, in pain to incur a *Præmunire*. The Crown of *England* is ſubject to none.

IX. Stat. 2 *H.* 4. 3, & 4. Religious Perſons purchaſing Bulls from the Pope to be exempted from Obedience or Tithes, ſhall incur a *Præmunire*.

X. Stat. 7 *H.* 4. 8. No Proviſion ſhall be made by the Pope, nor Licenſe or Pardon by the King, touching any Benefice then full of an Incumbent.

XI. Stat. 3 *H.* 5. 4. All Proviſions made by the Pope, and Licenſes or Pardons by the King, touching any Benefices full of an Incumbent, ſhall be void, and the Proviſors thereof ſhall incur a *Præmunire*.

☞ Purpreſtures.

I. Stat. *De Bigamis*, 4 *E.* 1. *c.* 4. Purpreſtures, or Uſurpations upon the King, ſhall be reſeiſed; and if any complain of ſuch Reſeiſures, he ſhall be heard, and have right done him.

☞ Purveyors.

* I. Magna Charta, 21. 9 *H.* 3. No Sheriff or Bailiff of the King, or any other, ſhall take any Horſes or Carts of any man to make carriage, except they pay for carriage, with two Horſes, after the rate of 10 *d.* a day, and with three, 14 *d.* a day.

II. No Demeſne Cart of any Spiritual perſon, Lord or Knight, ſhall be taken for carriage by the Kings Bailiffs: neither ſhall any Wood be taken for the Kings uſe, without the Owners Licence.

III. *Art. ſub Chart.* 2. 28 *Ed.* 1. If a Purveyor be attainted to have taken any thing without Warrant he ſhall be conveyed to the next Goal, and ſuffer as a Felon, if the value of the Goods do ſo require.

IV. Stat. 36 *E.* 3. 6. It is Felony for any Subjects Servant to take any thing by way of Purveyance, without the Owners notice.

V. Stat. 20 *H.* 6. 8. A Purveyor that takes Goods whoſe value exceeds not 10 *s.* and pays not preſent mony for them, may lawfully be reſiſted: And here the Conſtable, Headburrough or other Officer, ſhall (upon requeſt) aſſiſt the Owner in pain to yield unto the ſaid Owner the value of the Goods taken, and double damage.

VI. None of the Kings Officers ſhall arreſt or trouble any of the Kings Subjects for any ſuch reſiſtance, in pain of 20 *l.* to be divided betwixt the King and the Proſecutor.

VII. Juſtices of Peace have power to hear and determine the Offences committed againſt this Act, and upon Conviction of the Defendant, to award damages to the Plaintiff.

VIII. Stat.

VIII. Stat. 12 *Car.* 2. *cap.* 24. From henceforth no ſum of mony or other thing ſhall be raiſed for Proviſion, Carriages or other purveyance for the King.

IX. No perſon by colour of making purveyance for the King, Queen or their Children, or any of their Houſhold ſhall take any thing of any Subject without the Owners aſſent: nor ſhall require any to find Horſes, Oxen or other Cattle, or Carriages for any King or Queen, &c. without conſent as aforeſaid.

X. No pre-emption ſhall be allowed in the behalf of the King, Queen, *&c.* in Market or out of Market: and if any make purveyance or impreſs Carriages or other things by colour of any Warrant under the Great Seal, or otherwiſe, contrary to the intent hereof, any Juſtice of Peace or the Conſtables of the place, may commit the Offenders till the next Seſſions: and the party recover treble damages and treble coſts. And if any (after notice that the Action depending is grounded on the ſaid Statute) ſhall procure ſuch Action to be delayed by colour of any Authority, ſave only of the Court where it is depending, or Execution to be ſtayed ſave only by Writ of Error, or Attaint, or order of ſuch Court where ſuch Writ is depending, he ſhall incur a *Præmunire*. Saving the Kings Right, to or out of Tin, in the *Stannaries* of *Devon* and *Cornwal*, and ancient duties of the Butlarage and Prizage of Wines. *Confirmed* 13 Car. 2. Cap. 7.

XI. Stat. 13 *&* 14 *Car.* 2. *cap.* 20. When the ſervice of the Navy ſhall require any carriages by Land, upon notice by Warrant under the Hand and Seal of the Lord High Admiral, or two of the principal Officers of the Navy, or the Maſter of the Ordnance, or of the Lieutenants of the Ordnance, to two or more Juſtices of Peace near the place, where the ſaid Carriages ſhall be required, the ſaid Juſtices ſhall iſſue their Warrants to the adjacent Pariſhes &c. not being above twelve miles diſtant from the place of lading, for the ſending to a certain place and at certain times, ſuch numbers of Carriages with Horſes or Oxen, as by the Lord High Admiral &c. ſhall be required. The Owners whereof ſhall receive for every load of Timber 1 *s.* for every reputed mile which they ſhall go laden, and for other proviſions, 8 *d. per* mile for every Tun.

XII. The Lord High Admiral &c. may by Warrant as often as the ſervice of the Nation ſhall require, appoint perſons to impreſs any ſuch Veſſels as ſhall be neceſſary for the accommodation of the Kings Service; the Owners whereof ſhall receive for the hire thereof *per* Tun, according to the rates paid by Merchants: and if the Kings Officers and the Owners cannot agree, then the rates ſhall be ſet by the Brother-hood of *Trinity* Houſe of *Deptford-Strand*.

XIII. If any of the Kings Subjects, ſhall refuſe after notice, to appear with ſuch Carriages by Land, or to provide Veſſels for the Service of the Navy, as aforeſaid, or ſhall, after they have undertaken

undertaken such service, neglect the same, upon conviction of such refusal or neglect, by Oath of the Constable or other Officer, or of two other Witnesses, before the said Justices of Peace, or chief Officer of the Corporation, where they Inhabit, for the Land-Carriages; and for Water-Carriages, by the Oath of such person, as shall be appointed by the Lord High-Admiral &c. or two other Witnesses, before the principal Officers of the Navy, or Master or Lieutenant of the Ordnance, they shall forfeit 20 *s.* for the Land-Carriage, and for Carriage by Water treble the freight of such Vessel, not exceeding fifty pounds in the whole; to be forthwith levied by distress and sale of Goods.

XIV. Provided, that no Horses, Oxen or Land-Carriage, be enforced to travel more days Journey from the place of their lading, or be longer in the imployment, than shall be appointed by order of the said Justices, and that ready payment be made at the place of lading.

XV. If any Justice of Peace, or any person appointed by the Lord High-Admiral &c. shall take a reward to spare any person, or shall injuriously charge any, who ought not to make such Carriage, or shall impress more Carriages, than he shall be comanded, he shall forfeit 10 *l.* and if any impress Horses, &c. or Carriages for Land, or any Vessels, other than the persons impowred, as aforesaid, they shall incur the punishment contained in the Act of 12 *Car.* 2. *cap.* 24.

XVI. No Vessel freighted by Charter-party, if there be other Vessels in the Port fit for the service, nor any Vessel quarter-laden with Merchandizes outward bound, shall be lyable to be impressed.

XVII. This Act shall continue to the end of the first Session of the next Parliament, and no longer.

XVIII. The Justices of Peace may (as to the Carriage of Timber only) allow to the Owners of Carriages within the division of the New-Forest in the County of *Southampton*, not exceeding 4 *d. per* mile, for so many miles, as their Carriages shall go empty to the place of their lading.

XIX. Stat. 1 *Jac.* 2. *cap.* 11. The Act of 13 & 14 *Car.* 2. Intituled, *An Act for the providing Carriage by Land and by water, for the use of his Majesties Navy and Ordnance*, shall be in force for the space of seven years from the 24*th* of *June* 1685. and to the end of the first Session of Parliament then next ensuing, and no longer.

XX. Stat. 1 *Jac.* 2. *cap.* 10. The Clerk or chief Officer of the Kings Carriages, shall three days before the Kings arrival, by Warrant from the Green-cloth give notice to two or more Justices of Peace next adjoyning, to provide such a number of Carriages as the King shall have present use of, expressing the number, and time and place, when and where they are to attend. Such Carriages to consist of four Horses, or six Oxen, or four Oxen and

two

two Horſes; for each Carriage the Owners to receive 6 *d.* for every mile they go laden. In caſe any refuſe to provide the King, the Queen, or *Katharine* Queen-Dowager in their progreſs or removals, with ſuch Carriages and other neceſſaries for ready monies, or without juſt cauſe refuſe to make their appearance with ſuch Carriages as aforeſaid, upon due proof of ſuch neglect, by Oath of the Conſtable or other Officer, or two other credible Witneſſes, before the ſaid Juſtices, or chief Officer of the Corporation where they inhabit, they ſhall forfeit 40 *s.* to be forthwith levied by diſtreſs and ſale of Goods.

XXI. No Horſes, Oxen, Cart or Wain ſhall be enforced to travel above one days journey, and payment ſhall be made at the place of lading. Juſtices of Peace and others taking reward to ſpare any from making ſuch Carriage, or grieving any through envy or evil-will, or impreſſing more Carriages than ſhall be directed, ſhall forfeit 10 *l.* to be recovered by Action of Debt; and if any ſhall impreſs as aforeſaid other than the perſon ſo impowred, he ſhall ſuffer the puniſhment contained in the Act of 12 *Car.* 2. *cap.* 24.

XXII. None of his Majeſties Servants in his progreſs ſhall be compelled to pay above 6 *d.* by the night for a Bed for themſelves, nor above 3 *d.* for every bed for their Servants; and where they pay for their Diet or for Provender for their Horſes, lodging ſhall be provided for them and their Servants for nothing.

XXIII. Two or more Juſtices near adjoyning to the Road, through which the King is to paſs, ſhall immediately after notice from the Green-cloath, under their Hands and Seals, appoint ſuch prices to be paid during the Kings abode there, for Hay, Oates and other accommodations for Hoſes as they ſhall think fit, which prices one day at leaſt before the Kings coming, they ſhall cauſe to be proclaimed in the Market-Town next to ſuch place, and in ſuch neighbouring Towns and Villages, as they ſhall think fit; and if any perſon take more than ſhall be ſo limited, and be convict by confeſſion, or Oath of one Witneſs before any Juſtice of Peace, he ſhall pay to the party grieved 40 *s.* to be levied by Diſtreſs. This Act to continue to the end of the firſt Seſſion of the next Parliament and no longer.

XXIV. Where any Carts ſhall be ſummoned to attend, and not be imployed, the Cart-taker ſhall pay to the Owner &c. for every Cart not imployed 5 *s.* and if he refuſe to pay the ſame, upon proof thereof to the Green-cloth, he ſhall forfeit to the party grieved 40 *s.*

XXV. The Officer who ſhall be required by this Act, to warn in the ſaid Carriages, ſhall make a Return to the Clerk of the Carriages, of the name and place of abode of every perſon warned.

Quakers Vide Non-Conformists.

Quéen.

I. Stat. 1 *M. Parl.* 2. 1. ALL Regal power of this Realm, and all Dignities and Pre-eminences thereunto belonging ſhall be as well in a Queen as in a King.

Quod Permittat.

I. Weſt. 2. 24. 13 *E.* 1. In like manner as a Parſon of a Church may recover common of Paſture by a Writ of *Novel diſſeiſin*, ſo his Succeſſor ſhall have a *Quod permittat* againſt the Diſſeiſor or his Heir, though there was never ſuch a Writ granted out of the Chancery before.

☞ Rape.

* I. Weſt. 1. 13. 3 *E.* 1. NOne ſhall Raviſh or take away by force any Maid within age, (neither by or without her conſent) nor any Wife or Maid of full age, nor any other Woman againſt her Will.

II. Here any perſon may ſue within forty days; but if not, then the King ſhall have the ſuit: and ſuch as be found culpable ſhall ſuffer two years impriſonment, and make fine at the Kings will; and if they have not whereof, they ſhall be puniſhed by longer impriſonment, as the Treſpaſs requireth.

III. Weſt. 2. 34. 13 *E.* 1. If a Man raviſh a Woman married, Maid or other, where ſhe did not conſent, neither before nor after, he ſhall have Judgment of Life and Member.

IV. Where a Man Raviſhed a Woman married, Lady, Damoſel, or other, albeit ſhe conſent after, yet he, being attainted thereof ſhall have like Judgment as before: and here the King ſhall have the Suit.

V. Of Women carried away with the Goods of their Husbands, the King ſhall have the ſuit for the Goods ſo taken away.

VI. If a Woman willingly leave her Husband, and go away, and continue with her Advowterer, ſhe ſhall be barred for ever of Action to demand her Dower, unleſs her Husband willingly (and without coercion of the Church) reconcile her, and ſuffer her to dwell with him.

VII. None ſhall carry away a Nun from her Houſe, (albeit ſhe conſent) in pain to ſuffer three years impriſoment, and to make ſatisfaction to the Houſe, and fine to the King.

VIII. Stat.

VIII. Stat. 6 R. 2. 6. Both the Ravisher and Ravished (where she consents after the Fact) are disabled to have or challenge any Inheritance, Dower, or joint-Estate, after the death of their Husband or Ancestor.

IX. In an Appeal of Rape, the Husband, Father, or next of the bloud, shall have the suit; and the Defendant shall not be received to wage Battel.

Reasonable Aid.

I. Mag. 1. 36. 3 E. 1. and 25 E. 3. *Stat.* 5. 11. Reasonable Aid to make the Kings eldest Son a Knight, and to marry his eldest Daughter, shall be for a Knights Fee holden of the King without mean 20 *s.* and every 20 *l.* Land in soccage shall pay as much, and so more or less according to that rate; and it shall be levied at fifteen years age of the Son, and seven years of the Daughter. Here if the Father levy it, and die before the Marriage of the Daughter, the Fathers Executors shall be charged therewith; and if they have not Assets, the Heir shall be therewith charged.

Receivers.

I. Stat. 34 & 35 *H.* 8. *c.* 2. All Collectors of Fifteens and Subsidies or other Tax or Loan, and all particular and general Receivers of the Kings Revenues, shall within three months after the same are due, and by them received, truly pay them unto the Kings use, in pain to lose their Offices, and also to forfeit 4 *s.* for every pound so received, and not paid in, as aforesaid, to be recovered by Bill, Plaint or Action of Debt, at the Kings suit: Howbeit lawful tender thereof within the said time shall excuse the said penalties, albeit they be not then received by the proper Officer, by reason of other occasions.

II. Provided, that the Heir of any such Collector or Receiver shall not be charged (by reason of this Act) but only in Lands which descend in Fee-simple or Fee-tail, or which have been conveyed unto him by collusion from such Collector or Receiver; neither shall their Executors or Administrators be otherwise charged for the same, than as they are chargeable by the Common Law in Action of Debt commenced against them as Executors or Administrators.

III. The Heir being charged, shall have remedy against the Executors or Administrators of his Father or Ancestor, and shall have execution of such Goods and Chattels as remain in their hands at the time of the Action brought.

IV. This Act shall not extend to the Collectors of the Custom, or of Tunnage and Poundage: nor to restrain the payment of Pensions, Fees, Annuities, Rents, or other allowances to be

be paid by the ſaid Receivers, according to the ſeveral allowances thereof.

V. Stat. 7 E. 6. 1. Every Treaſurer-general, and particular Receiver, Bailiff, and Miniſter accomptant to the King, ſhall, before his entry upon the Office, be bound with ſurety or ſureties, for his true account and payment, in pain to loſe his Office.

VI. Every ſuch Receiver, his Deputy or Deputies ſhall yearly make precepts to the ſeveral Collectors, Miniſters and Bailiffs accomptant within the circuit of his Office, charging them thereby perſonally to appear before him, or by their Deputy or Deputies, (for whom they will anſwer) within the County where ſuch Offices do lie, at a certain day and place in the ſaid Precept to be limited, to pay in ſuch monies as ſhall be due (within their Collections) to the King, at or before *Eaſter*: which Precept ſhall be delivered unto them, or left at their houſes, or the places where their Collections are, twelve days (at leaſt) before the day of appearance.

VII. Here, if the Accomptant make default of Appearance, and be thereof duly convicted in the Court where the Revenue is, he ſhall forfeit, for the firſt offence, his whole Fee for that year, or the value thereof; and for Non-payment of the mony then due, ſhall loſe for the firſt offence 6 *d.* in the pound for every month after the ſaid day of appearance, until it be paid in unto the Receiver.

VIII. Like precepts are to be ſent unto the ſaid Accomptants by the Auditor for appearance at the Audit at a certain day after *Michaelmas*, and for accompting there before him for monies due at or before that Feaſt upon the like penalties (for the firſt offence) as before, if they appear not, or refuſe to accompt; they are then alſo to pay into the Receiver all monies found due by the Auditor upon their Accompts.

IX. For the ſecond default of appearance at the Audit, they ſhall loſe their Offices; and for their ſecond offence of not paying in the monies due at or before *Michaelmas*, they ſhall forfeit 12 *d.* for every month until they be paid.

X. The Receivers ſhall yearly pay in all monies due at or before *Eaſter* (which they know to be due, and can by any lawful means receive) by the 20*th* of *June* at farthеſt, as thoſe due at or before *Michaelmas* by the 20*th* of *January*, in pain to forfeit 2 *d.* in the pound for every day they ſo make default of payment.

XI. Every Receiver ſhall yearly enter into his accompt in *Hilary* Term, finiſh it before the tenth of *March*, and pay in all the monies due upon his accompt before the 20*th* of *March* in pain to forfeit 4 *d.* in the pound for every day that he with-holds the ſame longer.

XII. Every

XII. Every Receiver, Collector and Bailiff, have power to distrain for Arrears, and to order the said distresses in like sort as any Officer of the Exchequer for non-payment of the Kings Rents and Revenues have lawfully used to do, delivering to the party distrained the overplus of the value of every such distress, the Kings Debts being first paid, and the distrainer answered his reasonable costs.

XIII. The Kings Chief Officers of the Kings Courts of Revenue (being of Record) have power to set Fines and Amerciaments upon Sheriffs for not returning or mis-returning of Writs issued out for the levying of the Kings Debts or Revenues.

XIV. All Treasurers, Chamberlains, general Receivers and Customers, shall upon ten days notice, (from the King, or six of the Privy-Council,) render an accompt of what monies are in their hands, and shall make ready payment thereof, in pain to lose their places.

XV. The said Treasurers, Chamberlains and general Receivers, or their Deputies, shall yearly, before the 20*th* of *June*, make a perfect accompt of all such Monies as came to their hands before the 20*th* of *March* next before, and shall make a perfect and whole Declaration in writing of the mony remaining in their hands (to the King or his Council) yearly before the last of *June*, and shall make payment thereof as they shall be afterwards commanded by sufficient Warrant, in pain to forfeit their Offices.

XVI. No Treasurer, Receiver, or Minister accomptant, or their Deputies, shall receive for the payment any Fees, Annuities, Pensions, Duties or Warrants, more, or otherwise, than they lawfully may by former Laws and Statutes in that behalf provided, in pain to forfeit for every peny or peny-worth otherwise taken 6 *s.* 8 *d.* to the party grieved, to be recovered by Bill, Plaint, or Action of Debt.

XVII. The Auditor that refuseth or delayeth to take an accompt, so that the Accomptant cannot pass his accompt within the time above limited, shall forfeit as much as the Accomptant should have forfeited, and the Accomptant shall be discharged thereof.

XVIII. The Auditor or his Deputy shall in convenient time (upon the Request and at the costs of the Accomptant) deliver unto the Accomptant a Duplicate or Copy of his accompt under his or their hand, in pain to forfeit 10 *l.* to the King.

XIX. This Act shall not extend to Archbishops or Bishops, concerning their accompts or payment of Tenths; nor to any Sheriff, Escheator, or Collector of *Dismes*, *Quindisme*, Benevolences, Contributions, or Subsidies, the Subsidies of Tunnage and Poundage only excepted.

Recognisance and Statute-Merchant.

I. Acton Burnel, 13 *E.* 1. The Merchant that will be sure of his Debt, shall cause his Debtor to come before the Mayor of *London*, *York*, or *Bristol*, or before the Mayor and Clerk, (which the King will appoint) to acknowledge the Debt and the day of payment; which Recognizance shall be entred into a Roll with the Hand of the said Clerk.

II. The Clerk shall make with his own hand a Bill obligatory, whereunto the Seal of the Debtor shall be put together with the Kings Seal, to be appointed for that purpose; which Seal shall remain in keeping of the said Mayor and Clerk.

III. If the Debtor fail at the day, upon notice thereof to the Mayor and Clerk, they shall cause his Chattels and divisible Burgages to be sold as far as the Debt do amount, by appraisment of honest men, and the mony without delay shall be paid to the Creditor; and in case they cannot sell them, they shall cause so much of the movables to be delivered unto him as amount to the Debt, and the Kings Seal shall be put unto the sale and deliverance of the Burgages.

IV. If the Debtor have no movables within the Mayors Jurisdiction, then shall the Mayor send the Recognizance unto the Chancellor under the Kings Seal, and the Chancellor shall thereupon direct a Writ to the Sheriff in whose Bailiwick the movables of the Debtor be, who shall proceed therein as the Mayor might have done if the said movables had been in his power.

V. If the Appraisers set too high a value upon the Things that are to be sold, they shall be compellable to take them at the same price, and shall forthwith be answerable to the Creditor for his Debt: And albeit the movable Goods are sold for less than they are worth, yet is the Debt or without remedy; and it shall be imputed to his own folly, that he would not sell them himself when he might.

VI. If the Debtor have no movables whereupon the Debt may be levied, he shall be imprisoned, and there remain until he agree with the Creditor; and if he be in want, the Creditor shall find him Bread and Water, which the Prisoner shall also satisfie before he be enlarged. A Merchant-stranger shall also be satisfied for his stay about his said business.

VII. If the Debtor have Sureties, they shall be bound and proceeded against in like form as is before declared against the Debtor. Nowbeit, so long as the Debt may be levied of the Goods movable of the Debtor, his pledges or mainpernors shall be without damage.

VIII. Stat. *De Mercatoribus*, 13 *E.* 1. The Merchant shall cause his Debtor to come before the Mayor of *London*, or before some chief Warden of a City or other good Town, where the King

shall appoint, and before the Mayor or chief Warden, or other discreet Men chosen and sworn thereto when the Mayor or chief Warden cannot attend, and before one of the Clerks that the King shall thereto assign, when both cannot attend, to acknowledge the Debt and day of payment; which Recognisance shall be enrolled by one of the said Clerks hands being known; and the Roll shall be double, whereof one part shall remain with the Mayor or chief Warden, and the other with the said Clerk.

IX. Then one of the Clerks shall write an Obligation, whereunto the Seal of the Debtor shall be put, together with the Kings Seal provided for the purpose; which Seal shall have two pieces, whereof one part shall remain with the Mayor or chief Warden, and the other with the aforesaid Clerk.

X. If the Debt be not paid at the day upon the Merchants accompt, the Mayor or chief Warden shall cause the Debtor to be imprisoned, (if he be Lay, and in their power) there to remain at his own Costs, until he hath agreed the Debt: and the Keeper of the Prison there shall receive him, in pain to answer the Debt himself, or (if he be not able) he that committed the Prison to his keeping.

XI. If the Debtor cannot be found by the Mayor or chief Warden, they shall send the Recognisance under the Kings Seal into the Chancery, from whence shall issue a Writ to the Sheriff of the County where the Debtor is, to take his Body, (if he be Lay) and safely to keep him in Prison, until he agree the Debt; and within a quarter of a year after he is so taken, his Goods and Lands shall be delivered unto him, to the end he may pay the Debt, within which time the sale of his Lands shall be good.

XII. If he do not satisfie the Debt within that quarter, all his Lands and Goods shall be delivered to the Marchant by a reasonable extent, to hold them until the Debt be wholly levied: nevertheless his body shall still remain in prison, and the Merchant shall find him Bread and Water.

XIII. The Merchant or his Assigns shall have such Seisin in the said Lands, that he may maintain a Writ of *Novel Disseisin* if he be put out, and a *Redisseisin* also, as of a Free-hold to him and his Assigns, until the Debt be paid; but when the Debt is levied, the body of the Debtor shall be delivered, together with his Lands.

XIV. In the Writ awarded by the Chancellor, the Sheriff shall be directed to certifie the Justices, of one of the Benches at a certain day how he hath performed the service; and then the Merchant shall sue before the said Justices, if he be not satisfied.

XV. If the Sheriff make no return of the Writ, or return a *Tarde*, or that he hath directed it to the Bailiff of some Franchise, the Justice shall proceed according to the Statute of *Westm.* 2. c. 39. (*which set in* Return of Sheriffs and Bailiffs.)

XVI. If the Sheriff return a *Non est inventus*, or that he is a Clerk, the Merchant shall have Writs to all the Sheriffs where he hath any Land; that they shall deliver him all the Goods and Lands of the Debtor by a reasonable extent, to hold to him and his Assigns in form aforesaid: nevertheless, he may also have a Writ to what Sheriff he will, to take his Body, (if he be lay) and to detain him in manner aforesaid; and the Keeper must answer the Body of the Debt. But yet the Debtor may sell the Lands, so the Merchant be not damnified by the appraisement.

XVII. Here, the Merchants shall be always allowed their damages, and all necessary and reasonable costs for their labours, suits, delays, and expences.

XVIII. If the Debtor have Sureties, the like course shall be taken against them as is above limited to be taken against the principal Debtor.

XIX. All the Lands in the hands of the Debtor at the time of the Recognisance acknowledged are chargeable, into whose hands soever they come afterwards; but after the Debt satisfied, they shall return to the Grantees, as also the rest to the Debtor.

XX. If the Debtor or his Sureties die, the Merchant shall not take the Body of his Heir, but shall have his Lands as aforesaid, if he be of age, or at his full age, until he hath levied his Debt.

XXI. There shall be also another Seal provided that shall serve for Fairs, and shall be sent to every Fair under the Kings Seal by a Clerk sworn, or by a Keeper of the Fair.

XXII. Of the Commonalty of *London* there shall be two Merchants chosen and sworn, and the Seal shall be opened before them, whereof one piece shall be delivered to the said Merchants, and the other shall remain with the Clerk.

XXIII. Before these Merchants, or one of them, the Recognisances shall be taken; and before they be inrolled, the pain of the Statute shall be openly read before the Debtor, that he may not afterwards excuse himself by ignorance of the said pain.

XXIV. For the Clerks maintenance, the King shall take a peny for every pound where the Seal is; except in Fairs; and there a peny half peny.

XXV. This Act shall be from henceforth observed throughout *England* and *Ireland* between any that will make Recognisances, except *Jews*, to whom it doth not extend.

XXVI. By this Statute the Writ of Debt shall not be abated; neither shall the Chancellor, Justices of either Bench or Justices Errants, be hereby estopped to take Recognisances of Debts before them acknowledged, and to issue execution thereupon, as hath heretofore been used.

XXVII. *Breve fundatum super Statutum prædictum.*

Rex Vic. salutem. Quia coram tali Majore vel Custode talis villæ, vel coram Custode sigilli nostri de Mercatoribus in nundinis de tali loco & tali Clerico nostro, A. Recognovit debere B. *tantum, quod*

solviſſe

solvisse debuit tali die & tali anno, quod idem B. eundum solvit, ut dicit; Tibi præcipimus, quod corpus prædicti A. (si laicus sit) capias, & in prisona nostra salvo custodire facias, quousque de prædicto debito satisfecerit; & qualiter hoc præceptum nostrum sutris executus fuerit facias Justiciariis nostris apud Westm. per literas tuas sigillatas, & habeas ibi hoc breve, Teste, &c.

XXVIII. Stat. 14 E. 3. 11. The Clerk of the Statute shall be resident upon his Office, and shall have Lands sufficient in the same County, whereof he may answer to all persons if he offend.

XXIX. Stat. 8 R. 2. 4. No Judge or Clerk shall make any false entry of Pleas, raze any Roll, or change any Verdict, in pain to be punished by fine and ransom at the Kings will.

XXX. Stat. 5 H. 4. 12. When a Statute Merchant hath been certified into the Chancery, and thereupon a Writ awarded to the Sheriff, and returned into the Common Pleas, and the Statute there once shewed, albeit the process thereof be after that discontinued, yet the party shall have the process re-continued, and shall also have re-execution upon the same Statute, without shewing it again to the Court.

XXXI. Stat. 11 H. 6. 10. He that sueth for a *Scire facias* in Chancery, to defeat an execution upon a Statute Staple, shall find surety both to the King and the Recognisee to prosecute his Suit with effect, &c.

XXXII. Stat. 23 H. 8. 6. The Chief Justices of the Kings Bench and Common Pleas, or either of them, or (in their absence out of the Term) the Mayor of the Staple at *Westminster* and the Recorder of *London*, jointly together shall have power to take Recognisances for the payment of Debt, in this form following.

XXXIII. *Noverint universi per præsent. nos A. B. & D. C. teneri & firmiter obligari Johanni Style in cent. libr. Sterling. solvendis eidem Johanni, aut suo certo Attornat. hoc script. ostend. hæred. vel execut. suis in tal. fest. &c. proxim. futur. post dat. præsent. Et si defecerc, vel defecerimus, in solutione debit. prædict. volo & conced. vel sic, volumus & concedimus, quod tunc currat super me, hæred. & execut. meos, vel, super nos, & quemlibet nostrum, hæred. & execut. nostros, pœna in statut. Stapul. de debit. pro Merchandisis in tal. emptis recuperand. ordinat. & provis. Dat. tali die, anno Regni Regis, &c.*

XXXIV. Such Obligation shall be sealed with the Seal of the Recognisor or Recognisors, as also with such a Seal as the King shall appoint for that purpose, and with the Seal of one of the Chief Justices, or the Seals of the said Mayor of the Staple and Recorder, and every of the said Justices: and the said Mayor and Recorder shall have the custody of one such Seal to be appointed by the King, as aforesaid.

XXXV. The Clerk of the Recognisances, (to be also appointed by the King) or his sufficient Deputy or Deputies, shall write and inrol such Obligations in two several Rolls indented, whereof one shall remain with such of the said Justices (or with the said Mayor and Recorder) as take such Recognisance, and the other with the Writer thereof: also such Clerk, or his Deputy or Deputies, shall be dwelling or abiding in *London*, and shall not be absent from thence by the space of two days, in pain to forfeit 10 *l.*

XXXVI. The Clerk or his Deputy (at the request of the Creditors, their Executors or Administrators) shall certifie such Obligations in the Chancery under his or their Seal.

XXXVII. The Recognisees of such Obligations, their Executors and Administrators, shall have in every point, degree and condition, against the Recognisors, their Heirs, Executors and Administrators, such Process, Execution, Commodity and Advantage, as hath been had upon an Obligation of the Statute of the Staple, and shall also pay like Fees for the same.

XXXVIII. Here the Recognisor so bounden, or otherwise grieved by such an Obligation, shall have like remedy by *Audita querela*, and all other remedies in the Law, as upon Obligations of the Statute of the Staple.

XXXIX Upon the sealing of the process for the Execution of every such Obligation, the King shall have an half-penny in the pound.

XL. The Tenant by such a Recognisance, his Executors or Administrators, being outed, shall have like remedy as upon an Obligation of the Statute of the Staple.

XLI. The Justices or the Mayor and Recorders Fee for taking such a Recognisance is 3 *s.* 4 *d.* and the Clerks Fee is as much, and his Fee for certifying such an Obligation is 20 *d.* And none of them shall take more, in pain of 40 *l.*

XLII. From henceforth the Mayor or Constable of the Staple shall take no Recognisance of the Statute of the Staple, in pain of 40 *l.* except between Merchants being free of the same Staple, for Merchandise of the said Staple, between them lawfully bought and sold.

XLIII. The Forfeitures aboveſaid are to be divided betwixt the King and the Prosecutor, and proved by Information, Action of Debt, Bill, or Plaint, in which no Essoin, &c. shall be allowed.

XLIV. Stat. 16 & 17 *Car.* 2. *Cap.* 5. When any Judgment Statute or Recognisance shall be extended, it shall not be avoided or delayed by occasion that any part of the Lands extendible are omitted, saving to the party whose Lands are extended his remedy for contribution.

XLV. Provided that this Act shall not give any extent or contribution against an Heir within age in respect of Lands descended otherwise than before the making of this Act: and shall extend only

only to Statutes for payment of Mony, and extents within twenty years after the Judgment, &c. had and obtained.

XLVI. This Act shall continue for three years, and from thence to the end of the next Session of Parliament.

XLVII. Stat. 22 & 23 *Car.*2. *Cap.*2. The Act of 16 & 17 year of the King that now is, to prevent delays in extending Statutes, Judgments and Recognisances shall be perpetual from the end of the last Session of Parliament.

☞ Records.

I. Stat. 9 *E.*3.5. Justices of Assise, Gaol-delivery and *Oyer* and *Terminer*, shall yearly at *Michaelmas* send all their Records and Processes (determined and put in Execution) into the Exchequer, which the Treasurer and Chamberlains there shall receive under their Seals, and keep them in the Treasury: Howbeit the said Justices shall first take out the Estreats of the said Records and Processes, to send them to the Exechequer, as they were wont to do.

Recoveries.

I. Stat. 7 *H* 8.*c.*4. Recoverers of Mannors, Lands, Tenements and Advowsons, their Heirs and Assigns, may distrain for Rents, Services and Customs due and unpaid, and make Avowry and justifie the same, and have like remedy for recovering them, as the Recoverers might have done or had, albeit the said Recoverers were never seised thereof; and shall also have a *Quare impedit* for an Advowson, (if upon a Voidance) any disturbance be made by a Stranger, as the Recoverers might have had albeit they were never seised thereof by presentation.

II. Here, every Avowant or Bailiff in any *Replegiary*, or second Deliverance, if their Avowry, Conusance or Justification be found for them, or the Plaintiff be otherwise barred, shall recover his damages and costs.

III. Stat. 21 *H.* 8. 15. A Termer for years may falsifie a feigned Recovery had against them in Reversion, and shall retain and enjoy his Term against his Recoverer, his Heirs and Assigns, according to his Lease.

IV. Also the Recoverer shall have like remedy against the Termer, his Executors or Assigns, by Avowry or Action of Debt, for Rents and Services reserved upon such Lease, and due after such Recovery, and also like Action for Waste done after such Recovery, as the Lessor might have had if such Recovery had never been.

V. No Statute of the Staple, Statute-Merchant, or Execution by *Elegit*, shall be avoided by such feigned Recovery, but such Tenants shall also have like remedy to falsifie such Recoveries, as is here provided for the Lessee for years.

VI. Stat. 34 & 35 H. 8. 20. No feigned Recovery hereafter to be had by aſſent of parties againſt any Tenant or Tenants in tail of any Lands, Tenements or Hereditaments, whereof the Reverſion or Remainder at the time of ſuch Recovery had ſhall be in the King, ſhall bind or conclude the Heirs in tail, whether any condition or Voucher be had in any ſuch feigned Recovery or not; but that after the death of every ſuch Tenant in tail, againſt whom ſuch Recovery ſhall be had, the Heirs in tail may enter, hold and enjoy the Lands, Tenements and Hereditaments ſo recovered, according to the form of the gift in tail, the ſaid Recovery notwithſtanding.

VII. And here the Heirs of every ſuch Tenant in tail, againſt whom any ſuch Recovery ſhall be had, ſhall take no advantage for any recompence in value againſt the Voucher or his Heirs.

VIII. This Act ſhall not extend to prejudice the Leſſee or Leſſees of any ſuch Tenant in tail made in writing indented of any Mannors, Lands, &c. for twenty one years, or three lives, or under, whereupon the accuſtomed Rent or Rents is or ſhall be yearly reſerved during the ſame term or terms; but the ſame Leſſee or Leſſees, ſhall enjoy his or their term or terms, according to the Statute of 32 H. 8. 28. (*which ſee in* Leaſes) this Act notwithſtanding.

IX. Stat. 14 El. 8. All Recoveries had or proſecuted (by agreement of the parties, or by covin) againſt Tenants by the courteſie, Tenants in tail after poſſibility of iſſue extinct, for term of Life or Lives, or of Eſtates determinable upon Life or Lives, or of any Lands, Tenements or Hereditaments, whereof ſuch particular Tenant is ſo ſeiſed, or againſt any other, with Voucher over of any ſuch particular Tenant, or of any having right or title to any ſuch particular Eſtate, ſhall from henceforth (as againſt the Reverſioners, or them in Remainder, and againſt their Heirs and Succeſſors) be clearly void.

X. This Act ſhall not prejudice any perſon that ſhall by good title recover any Lands, &c. without fraud, by reaſon of any former right or title. Alſo every ſuch Recovery had by the aſſent and agreement of the perſon in Reverſion or Remainder, appearing of Record in any of the Queens Courts, ſhall be good againſt the party ſo aſſenting.

Rectory.

I. Stat. 13 & 14 Car. 2. Cap. 25. All conveyances by pretended Delinquents for adhering to the late King, or the King that now is, their Heirs, Executors, Truſtees, or others ſeiſed jointly or in common with them, or in Reverſion or Remainder after them to Truſtees appointed by the long Parliament, for augmentation of Vicarages and maintenance of Miniſters, of Advowſons, Rectories impropriate, Glebe-Lands, Annuities, Rents, &c.

as part or in full of their compoſition for ſuch Delinquency, ſhall be void from henceforth.

II. And whereas ſuch Truſtees redemiſed the ſame at ſuch Rents as were appointed to be the augmentation or maintenance aforeſaid, ſince which time many of the Rectories and Lands ſo conveyed have been ſold, and the redemiſes aſſigned by the Owners for benefit of Purchaſers, ſuch Purchaſers ſhall pay to the former Owners what was reſerved upon thoſe redemiſes, who ſhall have ſuch remedy for it, by Diſtreſs or Action of Debt, as the Truſtees might have had.

Re-diſſeiſin.

I. Merton, 3. 20 *H.* 3. If any be diſſeiſed of their Free-hold, and before the Juſtices in *Eyre* hath recovered ſeiſin by Aſſiſe of *Novel diſſeiſin*, or by confeſſion of the Diſſeiſors, and hath had ſeiſin delivered by the Sheriff, if afterwards the ſame Diſſeiſors diſſeiſe the Plaintiff of the ſame Free-hold, and be thereof convict, they ſhall be impriſoned, until the King hath diſcharged them by Redemption, Recognition of Aſſiſe, Judgment, or ſome other way.

II. This is the form of puniſhing of ſuch convict perſons. The Plaintiff ſhall procure a Writ from the Kings Court, directed to the Sheriff, and containing the plaint of Diſſeiſin done upon Diſſeiſin: by this Writ the Sheriff ſhall be commanded, that he, taking with him the Keepers of the Pleas of the Crown and other lawful Knights, ſhall in proper perſon go to the Land or Paſture whereof the Plaint was made; where, if they find him diſſeiſed again, the Sheriff is to do as is above provided, but if not, the Plaintiff ſhall be amerced, and the other ſhall go quit. Howbeit the Sheriff ſhall not execute any ſuch plaint without the Kings ſpecial command.

III. There is the like Law for ſuch as recover their ſeiſin by Aſſize of *Mortdanceſtor*, or by Inqueſts, if they be re-diſſeiſed by the firſt Diſſeiſors.

IV. Marlb. 8. 52 *H.* 3. Perſons impriſoned for Re-diſſeiſin ſhall not be delivered without the Kings ſpecial command, and ſhall make fine to the King for their Treſpaſs: And if the Sheriff deliver any contrary to this Ordinance, he ſhall be grievouſly amerced, and yet the perſons ſo delivered ſhall be alſo grievouſly puniſhed for their Treſpaſs.

V. Weſt. 2. 26. 13 *E.* 1. In Writs of Re-diſſeiſin double damages ſhall be awarded, and the Re-diſſeiſors ſhall not be repleviable by the common Writ.

VI. Thoſe that recover by default, reddition, or otherwiſe, without recognition of Aſſizes or Juries, ſhall have Writs of Re-diſſeiſin, as well as thoſe which recover by Aſſize of *Novel diſſeiſin*, *Mortdanceſtor*, or other Juries, provided for by the Statute of Merton.

Relief.

I. Magna Charta, 2. When Lands holden of the King in chief by Knights ſervice deſcend to an Heir of full age, the Reliefs are as followeth: for an Earldom, 100 *l.* for a Barony, 100 *marks*, for one whole Knights Fee 100 *s.* And he that hath leſs ſhall give leſs, according to the old cuſtom of the Fees.

Rents.

I. Stat. 32 *H.* 8. 37. The Executors or Adminiſtrators of Tenants in Fee-ſimple, in Fee tail, or for term of life, or Rent-ſervices, Rent-charges, Rent-ſecks, and Fee-farms, unto whom any ſuch Rent or Fee-farm was due and unpaid at the time of their death, ſhall have Action of Debt for all the Arrerages thereof againſt the Tenant or Tenants that ought to have paid them to their Teſtator, or againſt the Executors or Adminiſtrators of ſuch Tenant or Tenants; and ſhall alſo diſtrain for the ſaid Arrerages upon the Lands chargeable therewith, ſo long as they continue in the ſeiſin or poſſeſſion of ſuch Tenant in Demeſne, or of any other perſon claiming by or from him, in like manner as their Teſtator might have done: And the ſaid Executors or Adminiſtrators ſhall likewiſe for the ſame diſtreſs lawfully make Avowry upon the matter aforeſaid.

II. This Act ſhall not extend to any Mannor, Lordſhip or Dominion in *Wales* or the Marches thereof where the Inhabitants have uſed time out of mind to pay to every Lord or Owner of ſuch Mannors, &c. at their firſt entry into the ſame any ſum or ſums of mony for the diſcharge of all Duties, Forfeitures and penalties wherewith the Inhabitants were chargeable to any of their ſaid Lords, Anceſtors or Predeceſſors before their ſuch entry.

III. If any perſon hath in right of his Wife any Eſtate in Fee-ſimple, Fee-tail, or for term of life, in any ſuch rents or Fee-farms, and the ſame happen to be due and unpaid in his Wifes life, ſuch Husband, after the death of his Wife, his Executors and Adminiſtrators, ſhall have an Action of Debt for the ſaid Arrerages againſt the Tenant of the Demeſne that ought to have paid the ſame, his Executors or Adminiſtrators, and ſhall likewiſe diſtrain for the ſame, and make Avowry, as he might have done if his Wife were living. The like power hath Tenant *pur auter vie* for Arrerages due and unpaid in the life time of *Ceſtuy que vie*.

Repleader.

I. Stat. 32 *H.* 8. 30. In all Actions, after Iſſue had, there ſhall be Judgment given, notwithſtanding any miſ-pleading, lack of colour in ſufficient pleading, or *Jeofail*, Miſcontinuance, Diſcontinance,

continuance, mis-conveying of Proceſs, mis-joyning of Iſſue, lack of Warrant of Attorney of the party againſt whom the Iſſue ſhall be tried, or any other default or negligence of any of the parties, their Counſellors or Attornies.

II. Provided, that every Attorney ſhall deliver, or cauſe to be delivered, his or their ſufficient and lawful Warrant of Attorney, to be entred of Record, for every Action or Suit wherein he is named Attorney, to the Officer or his Deputy ordained for the receipt and entring thereof, in the ſame Term when the Iſſue of the ſaid Action is entred of Record, or before, in pain to forfeit 10 *l.* to the King, and to ſuffer impriſonment at the diſcretion of the Juſtice of the Court where ſuch Action depends.

Replevin of Cattle.

I. **Marlb.** 21. 52 *H.* 3. If Beaſts be taken, and wrongfully with-holden, the Sheriff (upon complaint thereof) may deliver them, without let or gainſaying of him that took them, if they were taken out of Liberties; but if within any Liberties, and the Bayliffs thereof will not deliver them, the Sheriff, upon ſuch Bayliffs default, ſhall cauſe them to be delivered.

II. **Weſt.** 2. 2. 13 *E.* 1. Where, upon Replevins, Lords cannot obtain Juſtice in Counties and other Inferior Courts againſt their Tenants, when ſuch Lords are attached at their Tenants Suit, a Writ ſhall be granted them (*viz.* a *Recordare*) to remove the Plea before the Juſtices, where juſtice ſhall be done them; and the cauſe ſhall be inſerted in the Writ, *viz.* becauſe ſuch a Man diſtrained in his Fee for ſervices and cuſtoms to him due.

III. Here, the Avowry ſhall be upon the Seiſin of any Anceſtor or Predeceſſor, ſince the time that a Writ of *Novel diſſeiſin* hath run.

IV. The Sheriff or Bailiffs ſhall not only take pledges of the Plaintiff to proſecute his Suit, but alſo return the Cattle, in caſe return be awarded; and if pledges be otherwiſe taken, he ſhall anſwer the Lord for the price of the Beaſts, to be recovered by Writ: and if the Bailiff be not able to reſtore them, his Superior ſhall do it.

V. If, after return once awarded, the Beaſts are again replevied, or as ſoon as the return of the Beaſts is the ſecond time awarded, the Sheriff ſhall be commanded by a judicial Writ to make return thereof to the diſtrainer; in which Writ it ſhall be expreſſed, that the Sheriff ſhall not deliver them without a Writ making mention of the Judgment given by the Juſtices, and ſuch Writ is to iſſue out of the Rolls of the ſaid Juſtices: after which if the Plaintiff deſire to replevy his Beaſts, he ſhall have a Judicial Writ, (*viz.* a *writ of ſecond Deliverance*) that the Sheriff taking Surety for the Suit, and alſo of the Beaſts to be returned, or their price, (if return be awarded) ſhall deliver the Beaſts

before

before returned, and the diſtreiner ſhall be attached to come before the Juſtices at a certain day; and if he that replevied make default, or for ſome other cauſe return of the diſtreſs is awarded, (being now twice replevied) the diſtreſs ſhall afterwards remain unreplevied.

Receipt.

I. The Statute of *Glouceſter*, 11. 6 *E.* 1. When a Man leaſeth his Tenement in *London*, and he in reverſion or remainder cauſeth himſelf to be impleaded by Colluſion, and, to make the Termer loſe his Term, loſeth by default, or giveth it up; in this caſe the Mayor and Bailiffs may enquire by Inqueſt whether ſuch Plea was moved upon good right, or by covin: and if it be found that it was upon good right, Judgment ſhall be forthwith given, but if it be found by fraud, to cauſe the Termer to loſe his Term, the Termer ſhall enjoy his Term, and the Execution of the Judgment for the demandant ſhall be ſuſpended until the Term be expired. In like manner ſhall it be of equity before the Juſtices, if the Termer challenge it before the Judgment.

II. Stat. *De defenſione Juris*, 20 *E.* 1. When any one demandeth Tenements by the Kings Writ, and a Stranger before Judgment comes in by a collateral Title, and deſireth to be received, before his Receipt he ſhall find ſufficient ſurety (as the Court will award) to ſatisfie the demandant the value of the Lands ſo to be recovered, from the day that he is ſo received, until final Judgment given to the demandant.

III. Here, if the demandant recover, the Defendant ſhall be grievouſly amerced; and if he have not whereof, he ſhall ſuffer impriſonment at the Kings pleaſure: but if he can prove his right, he ſhall go quit.

IV. Stat. 13 *R.* 2. 17. If any Tenant for life, in Dower, by the Law of *England*, or in tail after poſſibility of Iſſue extinct, be impleaded, and he in the reverſion come into the Court, and pray to be received to defend his right, at the day that the Tenant pleadeth to the Action, or before: he ſhall be then received to defend his right, and after ſuch receipt the buſineſs ſhall be haſted as much as may be by the Law, without any delay whatſoever of either ſide: And therefore, here days of Grace ſhall be given by the diſcretion of the Judges between the demandant and the party ſo received, and not the common day in plea of Land, unleſs the demandant will thereunto conſent; leſt the demandants be too much delayed, becauſe they muſt plead to two adverſaries.

V. Howbeit they in reverſion, who ſo pray to be received, ſhall find Sureties for the Iſſues of the Tenements demanded, for the time that the Demandants be delayed, after the Plea determined between the Demandants and Tenants, if the Judg-

ment

ment paſs for the Demandant againſt them in the Reverſion, as well where the Receipt is counter-pleaded, as where it is granted.

Reſidence.

*1. Artic. Cler. 8. 9 E. 2. Such Clerks as attend in the Kings Service, if any offend, ſhall be corrected by the Ordinaries, as others be: howbeit, ſo long as they be imployed about the Exchequer, they ſhall not be bound to keep reſidence in their Churches, *To this was added by the Kings Council,* The King and his Anceſtors time out of mind have uſed, that Clerks who are imployed in his ſervice, during the time they are ſo in his Service, ſhall not be compelled to keep Reſidence in their Benefices; and ſuch things as be thought neceſſary for the King and Common-Wealth ought not to be prejudicial to the Church.

*II. Stat. 21 H. 8. 13. No Spiritual perſon ſhall take to farm (to himſelf, or to any other for his uſe) any Lands or other Hereditament for life, years, or at will, in pain to forfeit 10 l. for every month he ſo continues the ſame, to be divided betwixt the King and the Proſecutor.

III. This Act ſhall not extend to any Spiritual perſon for taking to farm any Temporalities (during the time of Vacation) of any Archbiſhopricks, Biſhopricks, Abbies, Priories or Collegiate, Cathedral or Conventual Churches; nor to any ſuch perſon who ſhall tender or make any traverſe upon any Office concerning his Freehold.

IV. No Spiritual perſon ſhall (by himſelf, or any other for his uſe) buy, to ſell again for profit, any Cattle, Victual, or Merchandiſe, whatſoever, in pain to forfeit treble the value thereof, to be divided betwixt the King and the Proſecutor; and every ſuch bargain ſhall be void.

V. Howbeit, a Spiritual perſon may buy Horſes, Mares, Cattle or other Goods, for his neceſſary uſe and imployment, and in caſe they happen not fit for his turn, may ſell them again; ſo as this be done without fraud or covin.

VI. Alſo Abbots, Priors, Abbeſſes, Prioreſſes, Provoſts, Preſidents, and Maſters of Colledges and Hoſpitals, and all other Spiritual Governours and Governeſſes of any Houſes of Religion, having Lands of the yearly value of eight hundred marks or under, may uſe and occupy ſo much thereof for the maintenance of their Houſes as they or any of their Predeceſſors have done within an hundred years laſt paſt, notwithſtanding this Act.

VII. Likewiſe Spiritual perſons, not having ſufficient Glebe or Demeſne-Lands in right of their Churches or Houſes, may (notwithſtanding this Act) for the only expences of their Houſes, and for their Carriages and Journies, take in farm other Lands,

and

and buy and ſell Corn and Cattel, for the only manurance and paſturage of ſuch Farms, ſo as it be done for ſuch purpoſes only without fraud or covin.

VIII. If any perſon having a Benefice with Cure of Souls, being of the yearly value of eight pound or above, accept another with Cure of Souls, and be Inſtituted and Inducted in poſſeſſion of the ſame, immediately upon ſuch poſſeſſion thereof the firſt Benefice ſhall be adjudged void; and then it ſhall be lawful for the Patron thereof to preſent another, as if the Incumbent had died or reſigned, any Licence, Union or other Diſpenſation to the contrary notwithſtanding.

IX. Every Licence, Union or other Diſpenſation obtained contrary to this Act ſhall be void. And none ſhall obtain (from *Rome* or elſewhere) any Licence, Union, Toleration or Diſpenſation to receive any Benefice with Cure, in pain of 20 *l.* to be divided betwixt the King and the Proſecutor.

X. Provided, that every Spiritual perſon of the Kings Council may purchaſe Licence or Diſpenſation to keep three Benefices with Cure; and the Chaplains of the King, Queen, the Kings Children, Brethren, Siſters, Uncles or Aunts, may ſo keep each of them two.

XI. Alſo an Arch-Biſhop and Duke may have each of them ſix Chaplains; a Marqueſs and Earl five; a Viſcount and other Biſhops four; the Chancellor, every Baron and Knight of the Garter three; every Ducheſs, Marchioneſs, Counteſs and Baroneſs, being Widows two; the Treaſurer and Comptroller of the Kings Houſe, the Kings Secretary, and Dean of his Chappel, the Kings Almoner, and Maſter of the Rolls, each of them two; and the Chief Juſtice of the Kings Bench, and Warden of the *Cinque*-Ports, each of them one: and each of the aforeſaid Chaplains may purchaſe Licence or Diſpenſation to keep two Benefices.

XII. Likewiſe the Brethren and Sons of Temporal Lords (born in Wedlock) may purchaſe ſuch Licence or Diſpenſation to keep as many Benefices with Cure as the Chaplains of a Duke or Arch-Biſhop: and the Brethren or Sons (born in Wedlock) of every Knight may keep two.

XIII. Provided, that the aforeſaid Chaplain ſhall exhibit (where need ſhall be) Letters under the Sign or Seal of the King, or other their Lord and Maſter, teſtifying whoſe Chaplains they be, or elſe not to enjoy ſuch plurality of Benefices.

XIV. Alſo Doctors and Bachelors of Divinity, Doctors of Law, and Bachelors of Law-Canon, admitted to their Degrees by either of the Univerſities of this Realm, and not by Grace only, may purchaſe ſuch Licence to keep two Benfices with Cure.

XV. And becauſe Arch-Biſhops muſt uſe (at Conſecration of Biſhops) eight Chaplains, and Biſhops (at giving of Orders and Conſecration of Churches) ſix; every of them may have two Chaplains over and above the number limited.

XVI. Every

XVI. Every Spiritual perſon that is advanced (by colour of this Act) to keep more Benefices with Cure than is above limited, ſhall incur the penalty above provided by this Act.

XVII. Every Spiritual perſon promoted to any Arch-Deaconry, Deanry, or Dignity in a Monaſtery or Cathedral Church, or other Church, Conventual or Collegiate, or being beneficed with any Parſonage or Vicarage, ſhall be perſonally reſident and abiding upon his ſaid Dignity, Prebend or Benefice, or one of them at leaſt; in pain to forfeit, for not being ſo reſident by the ſpace of a month together, or of two months (to be accounted at ſeveral times) in any one year, the ſum of 10 *l.* to be divided betwixt the King and the Proſecutor.

XVIII. None ſhall obtain (from *Rome* or elſewhere) any Licence or Diſpenſation to be Non-reſident, in pain of 20 *l.* to be forfeited as aforeſaid.

XIX. Howbeit, this Act ſhall not extend to any Spiritual perſon being in the Kings Service beyond Sea, or upon a Pilgrimage beyond Sea, during the time that he ſhall be ſo in the Kings Service or upon the ſaid Pilgrimage; nor to any Scholar abiding for ſtudy (without fraud) at any Univerſity within this Realm; nor to any of the King or Queens Chaplains in ordinary; neither yet to any of the other aboveſaid Chaplains, which ſhall daily attend to their Lords and Maſters houſholds, ſo long as they ſo attend, without fraud; nor to the Maſters of the Rolls, Dean of the Arches, the Chancellor or Commiſſary of any Archbiſhop or Biſhop, the twelve Maſters of the Chancery, or the twelve Advocates of the Arches, (being Clergy-Men) ſo long as they execute their Offices or places; nor to any Spiritual perſon compelled by the injunction of the Lord Chancellor, or the Kings Council, to daily appearance to anſwer the Law, ſo long as he ſhall be ſo injoyned.

XX. Alſo a Spiritual perſon (being the Kings Chaplain) may accept (of the Kings gift) any Benefices, to what number ſoever, without the incurring the Penalty of this Act; and the King may alſo licence his Chaplains for Non-reſidence upon their Benefices, notwithſtanding this Act.

XXI. No Spiritual perſon ſhall take in farm any Parſonage or Vicarage, in pain to forfeit 40 *s.* for every week that he or any other (for his uſe) ſo occupies the ſame, and alſo ten times the value of the profit or rent that he makes thereof: both which Forfeitures are to be divided betwixt the King and the Proſecutor.

XXII. Provided, that no Deanry, Archdeaconry, Chancellorſhip, Treaſurerſhip, Chanterſhip, or Prebend in any Cathedral or Collegiate-Church, nor Parſonage that hath a Vicar indowed, nor any Benefice perpetually appropriate, ſhall be taken to be a Benefice with Cure of Souls.

XXIII. No Spiritual perſon, or any other for his uſe, ſhall keep any Tan-Houſe or Brew-Houſe, in pain to forfeit for every month

month ſo uſing the ſame 10 *l.* to be divided as aforeſaid: Howbeit, he may here have a Brew-houſe for his one private uſe.

XXIV. Every Ducheſs, Marchioneſs, Counteſs or Baroneſs, Widows, ſhall retain their priviledges concerning Chaplains, notwithſtanding their intermarriages with other perſons of a lower degree.

XXV. All Spiritual perſons having poſſeſſions in right of their Houſes above the value of eight hundred Marks, may keep ſo much thereof as ſhall be neceſſary for the maintenance of their Houſholds, notwithſtanding this Act: or may take a Dwelling houſe with Orchards and Gardens for their dwelling, ſo as (by colour thereof) they take not liberty to be Non-reſident.

XXVI. Stat. 25 *H.* 8. 16. Every Judge of the Kings Bench and Common-Pleas, the Chancellor and chief Baron of the Exchequer, and the Kings Attorney and Sollicitor General, may each of them have one Chaplain to be attendant to his perſon, having one Benefice with Cure, who may be Non-reſident upon the ſame.

XXVII. Stat. 28 *H.* 8. 13. Every Spiritual perſon above the age of forty years, being beneficed, (the Chancellor, Vice-Chancellor, Commiſſary, Rulers of Colledges or Halls, Doctors of the Chair, and Readers of Divinity in either of the Univerſities, only excepted) ſhall be reſident upon one of their Benefices, according to the Statute of 21 *H.* 8. 13. upon the pain therein provided for Non-reſidence.

XXVIII. Alſo every Beneficed perſon under the age of forty years abiding in either of the Univerſities, ſhall not enjoy the priviledge of Non-reſidence provided by the ſaid Statute of 21 *H.* 8. unleſs he be preſent at ordinary Lectures, both in the Houſe and Schools, and in proper perſon perform his Exerciſes, according to the Statutes of the Univerſity where he ſo abides.

XXIX. This Statute ſhall not extend to any Reader of any publick Lecture in Divinity, Law-Civil, Phyſick, Philoſophy, Humanity, or any of the Liberal Sciences; nor to Interpreters, or Teachers of the *Hebrew*, *Chaldee* or *Greek* Tongues, in either of the Univerſities; nor yet to any perſon who ſhall repair thither to proceed Doctor in Divinity, Law or Phyſick, for the time of their proceedings there, according to the Statutes of the ſaid Univerſities.

XXX. Stat. 33 *H.* 8. 28. The Chancellors of the Courts of the Duchy of *Lancaſter*, Augmentations, and Firſt fruits, the Maſter of the Wards, every of the Kings Surveyers General, the Treaſurers of the Kings Chamber and the ſaid Court of Augmentations, and the Groom of the Kings Stool, may each of them retain one Chaplain, to be attendant to his perſon, having one Benefice with Cure, who may be Non-Reſident upon the ſame. Howbeit every ſuch Chaplain ſhall at leaſt twice every year repair to his Benefice, and abide there eight days at every ſuch

such time to visit and instruct his Cure, in pain to forfeit every time so failing 40 s. to be divided betwixt the King and the Prosecutor.

Restitution.

I. Stat. 21 H. 8. 11. Where a Felon robbeth or taketh away the Mony or Goods of any, and is thereof found guilty, or otherwise attainted by the evidence given by the party himself, or others by his procurement, in this case the Justices of Gaol-delivery, or other Justices before whom he is found guilty or attainted, have power to award a Writ of Restitution for the Mony or Goods so robbed or taken, in like manner as if the Felon were attainted at the suit of the party in appeal.

Return of Sheriffs and Bailiffs.

I. West. 2. 39. 13 E. 1. Such as do fear the ill excution of Writs by the Sheriff, shall deliver their Writs unto him in open County, or in the rere-County, and shall take of him or his Under-Sheriff a Bill, containing the names of the Demandants and Tenants mentioned in the Writ, and require the Sheriff or Under-Sheriff to put the Seal thereunto; and mention shall be therein also made of the day of the deliverance thereof: and if the Sheriff or Under-Sheriff refuse to do it, the Testimony of Knights, and other credible persons there present, that put their Seals to such Bill, shall be taken.

II. If the Sheriff will not return Writs delivered unto him, upon complaint thereof to the Justices, a judicial Writ shall issue to the Justices of Assize, to enquire by such as were so present, whether they knew of the deliverance thereof, and an Inquest shall be thereupon returned: and if it be found by them, that the Writ was delivered, damages shall be awarded to the Plaintiff or Demandant, having respect to the quality and quantity of the Action, and the peril he might incur by reason of such delay. And this is to prevent the return of the Sheriff by *Tarde*.

III. And for that the Sheriff sometime returns a *Mandavi Ballivo* of a Liberty, where there is none such, the Treasurer of the Exchequer shall deliver to the Justices in a Roll all Liberties (In every County) that have return of Writs; and if the Sheriff return a *Mandavi Ballivo* of a Liberty not contained in the said Roll, he shall be punished as a disheritor of the King and his Crown. And if he return a *Mandavi Ballivo* of a Liberty that hath return, he shall have a *Non omittas propter aliquam libertatem* to do it, and shall be commanded to warn the Bailiffs thereof to be ready at a day to be named in the Writ, to answer why they did not execute the Kings Precept: when, if they come and acquit themselves, that no return was made to them, the

Sheriff

Sheriff ſhall be condemned to the Lord of the Liberty, and alſo to render damages to the party grieved by ſuch delay: but if the Bailiffs appear not, or do not acquit themſelves, as aforeſaid. In every Judicial Writ (ſo long as the Plea hangeth) the Sheriff ſhall have a *Non omittas*, &c.

IV. As concerning the Sheriffs return of Iſſues, if the Plaintiff demand *Oyer* of the Sheriffs return, it ſhall be granted him; and if he aver that the Sheriff might have returned greater Iſſues unto the King, he ſhall have a Writ Judicial unto the Juſtices of Aſſize, to enquire, in the preſence of the Sheriff, (if he will be there) what Iſſues the Sheriff might have returned from the *Teſte* to the Return of the Writ: And when the Inqueſt is returned, if he have not before anſwered the whole, he ſhall be charged with the Overplus by Eſtreats out of the Exchequer, and beſide ſhall be grievouſly amerced for the Concealment. And here Rents, Corn in the grange, and all movables (except Horſe, Harneſs, and Houſhold-ſtuff) are comprized under the name of *Iſſues*.

V. The King commands that the Sheriffs ſhall be puniſhed by Juſtices once or twice (if need be) for ſuch falſe returns: Howbeit, with the third Offence none ſhall meddle but the King.

VI. The Sheriff muſt beware of returning a Reſcue, for ſuch anſwers tend much to the diſhonour of the King; But when the Bailiffs teſtifie ſuch reſiſtance, forthwith the Sheriff, (all other buſineſs laid aſide) taking with him the *Poſſe Comitatus*, ſhall go in proper perſon to do execution: and if he find his Under-Bailiffs falſe, he ſhall puniſh them by impriſonment; but if not, he ſhall impriſon the reſiſters, from whence they ſhall not be enlarged without the Kings ſpecial command.

VII. Alſo in caſe of reſiſtance, the Sheriff ſhall certifie the Court of the names of the Reſiſters, their Aiders, Conſenters, Commanders and Favourers, and by a Writ Judicial they ſhall be attached by their Bodies to appear in Court; where, if they be convict, they ſhall be puniſhed at the Kings pleaſure. *See this Statute confirmed in Art. ſuper Chartas*, 16. 28 *E.* 1.

VIII. **Stat.** 12 *E.* 2. 5. An Indenture ſhall be made between the Sheriff and Bailiff of a Franchiſe under their names of every Return delivered by the Bailiff to the Sheriff; and if the Sheriff change the Return ſo delivered, and be thereof convict, he ſhall be puniſhed by the King, and yield to the Lord of the Liberty and to the party grieved double damages.

IX. Sheriffs and Bailiffs ſhall ſet their names to their Returns, in paln to be grievouſly amerced to the Kings uſe.

X. **Stat.** 2 *E.* 3. 5. At what time and place in the County a Man delivereth a Writ to the Sheriff or Under-Sheriff, they ſhall receive the ſame, and make him a Bill, according to the Statute of *Weſtm.* 2. 39. without taking any thing for the ſame: and if they refuſe to make ſuch a Bill, others there preſent ſhall ſet to

their

their Seals: and if the Sheriff or Under-Sheriff return not ſuch Writs, they ſhall be puniſhed according to the ſaid Statute. Alſo the ſaid Juſtices of Aſſize ſhall have power to enquire thereof, and to award damages, having reſpect to the delay, and likewiſe to the loſs and damage that might happen.

Richmond.

I. **Stat.** 26 *H.* 8. 15. A Statute ſhewing what duties Spiritual perſons Beneficed in the Arch-deaconry of *Richmond* ſhall take after the deceaſe of any perſon there.

Rye and Winchelſey.

I. **Stat** 2 & 3 *E.* 6. 30. An Act was made againſt Ballaſt to be caſt into the Chanel there.

Right.

I. **Magna Charta,** 24. 9 *H.* 3. The Writ called *Præcipe in Capite* ſhall be granted to no man upon any Free-hold, whereby any Free-man may loſe his Court.

☞ Riots, Routs, and unlawful Aſſemblies.

I. **Stat.** 27 *R.* 2. 8. The Sheriffs and all other the King's Officers ſhall ſuppreſs Rioters, and impriſon them, and all others offending againſt the Peace.

☞ II. **Stat.** 13 *H.* 4. 7. The Juſtices of Peace, or two of them (at leaſt) together with the Sheriff or Under-Sheriff, ſhall by the power of the County ſuppreſs Riots, Routs, and unlawful Aſſemblies, Arreſt the Offenders, and record what ſhall be done: By which Record of the ſaid Juſtices, and Sheriff or Under-Sheriff, the Offenders ſhall ſtand convict, as by the Statute of 15 *R.* 2. 2. in caſe of Forcible Entries, (*which ſee in* Force.) And if the Offenders be departed, the ſaid Juſtices, and Sheriff or Under-Sheriff, ſhall within a Month after make enquiry thereof, and hear and determine the ſame according to Law.

III. If upon ſuch enquiry the Truth cannot be diſcovered in manner aforeſaid, then ſhall the ſaid Officers within one Month, after ſuch enquiry certifie the fault, together with the circumſtances thereof, unto the King and his Council: which Certificate of theirs ſhall be in the nature of a preſentment by Twelve; whereupon the Offenders ſhall be brought to anſwer, and thoſe that be found guilty ſhall be puniſhed at the diſcretion of the King and his Council.

IV. If the Offenders traverſe the ſaid Certificate, then that, together with the Traverſe, ſhall be ſent into the King's Bench, there to be tried.

V. If the Offenders upon the firſt Precept do not appear before the Council, or in the King's Bench, a ſecond Precept ſhall iſſue forth; upon which if they cannot be found, or within three weeks after Proclamation made againſt them in the next County-Court after the delivery of the ſecond Precept they do not make their appearance before the Council, in the King's Bench, or in the Chancery, (in Vacation-time) upon return of the ſaid Proclamation, they ſhall ſtand convict and attainted of the offence committed.

VI. Juſtices of the Peace dwelling near the place where ſuch Offences ſhall be committed, and Juſtices of Aſſize for the time they ſhall be in their Seſſions, (in caſe any be then committed) ſhall do execution of this Act, in pain of 100 *l.*

☞ VII. **Stat.** 2 *H.* 5. 8. If default be found in the Juſtices of Peace or Aſſize, or in the Sheriff or Under-ſheriff, touching the execution of 13 *H.* 4. 7. at the inſtance of the party grieved, the King's Commiſſion ſhall go out to enquire as well of the truth of the caſe and original matter, as of the defaults aforeſaid, directed to ſufficient men of the County, at the diſcretion of the Lord Chancellor; which Commiſſioners ſhall preſently return into the Chancery the Inqueſts and matters before them found.

VIII. Here during the Sheriffs or Under-Sheriffs remaining in his Office, the Coronors ſhall impanel the Jury, each of them having Lands worth 10 *l. per Annum* at leaſt; and upon each of which, for making default, the Coronors ſhall return Iſſues, *viz.* for the firſt day 20 *s.* for the ſecond 40 *s.* for the third 5 *l.* and for every day after double: And all this the Coronor ſhall do in pain of 40 *l.* But in caſe the Sheriff or Under-Sheriff, ruputed in default, be diſcharged of their Office, the new Sheriff ſhall do that which the Coronors are above enjoyned to do, and ſhall incur like penalty, if they therein make default.

IX. The Lord Chancellor, upon knowledge of any ſuch offence ſhall ſend the King's Writ to the Juſtices of Peace, Sheriff, and Under-Sheriff of the ſame County, to put the ſaid Statute of 13 *H.* 4. 7. in execution, upon the pain therein contained. But although no ſuch Writ be ſent, yet ſhall they not be excuſed of the ſaid pain, if they make no execution of the ſame Statute.

X. A Riot, &c. ſhall be expreſſed and enquired of at the King's charge, which the Sheriff ſhall diſburſe by Indenture betwixt the Juſtices of Peace and him, and ſhall be anſwered him again upon his Accompt in the Exchequer.

XI. Perſons guilty of hainous Riots ſhall ſuffer one whole years impriſonment without Bail; but petty Rioters ſhall be impriſoned as ſhall ſeem beſt to the King and his Council: and greater Fines ſhall be ſet upon Rioters than in time paſt, in aid and ſupportation of the Juſtices and other Officers in that behalf.

XII. All the King's liege People, upon warning, ſhall be aſſiſtant to the

the Juſtices, Commiſſioners, Sheriff and Under-Sheriff aforeſaid, upon pain of impriſonment, and to make Fine and Ranſom to the King.

XIII. Bayliffs of Franchiſes ſhall cauſe ſufficient men to be impanelled upon ſuch Inqueſts, if any ſuch be found within their Liberties. And the Ordinances and pains aforeſaid ſhall extend to Corporations and Liberties, where they have Juſtices of Peace within themſelves.

XIV. **Stat.** 2 *H.* 5. 9. Upon a Bill of Complaint for any Riot, &c. preferred by the party grieved to the Lord Chancellor for the time being, together with a ſuggeſtion teſtifying the ſame under the Seals of two Juſtices of Peace, and the Sheriff of the County, the ſaid Lord Chancellor ſhall ſend forth a *Capias*, returnable in the Chancery at a certain day, by which if the parties offending, or any of them, be taken, they ſhall be committed to ward, or let to mainprize, at the diſcretion of the ſaid Lord Chancellor, and ſhall be proceeded againſt as the Law requireth: But if the Sheriff return *Non eſt inventus*, a Writ of Proclamation (to be proclaimed two County-Court-days) ſhall go out, returnable in the King's Bench at a certain day; before which if they render not themſelves, they ſhall be adjudged convict, and attainted of the offence ſuggeſted.

XV. If the offence be committed within the County Palatine of *Lancaſter*, or other Franchiſe where there is a Chancellor and Seal, the Lord Chancellor of *England* ſhall ſend a Writ to the ſaid Chancellor, commanding him to make ſuch execution as in this Act is compriſed.

☞ XVI. **Stat.** 8 *H.* 6. 14. Two Juſtices of Peace of the Counties where Riots are ſuppoſed to be committed ſhall teſtifie, that the common fame runneth in the ſame Counties of the ſame Riots, before *Capias* ſhall be awarded according to the Statute of 2 *H.* 5. 9.

XVII. If the offence be committed within a Liberty where there is a Chancellor and a Seal, upon information of the Riot, &c. from a Juſtice of Peace and Sheriff there, the ſaid Chancellor hath power to award Writs of *Capias* and Proclamation, as the Chancellor of *England* hath.

* XVIII. **Stat.** 19 *H.* 7. 13. if any Riot, &c. be committed, the Sheriff upon a Precept directed unto him, ſhall return twenty four perſons, whereof one ſhall have Free-hold within the ſame County worth 20 *s. per annum*, or Copy-hold worth 26 *s.* 8 *d. per annum*, or Copy-hold and Free-hold together worth 26 *s.* 8 *d. per annum*, for to enquire of the ſaid Riot, &c. and ſhall return iſſues upon every Juror making default, *viz.* for the firſt day 20 *s.* and for the ſecond 20 *s.* And all this the Sheriff ſhall do in pain of 20 *l.*

XIX. If the ſaid Riot, &c. be found by reaſon of any maintenance or embracery of the Jurors, then ſhall the Juſtices and Sheriff, or Under-Sheriff, (beſides the Certificate they are to make according to the Statute of 13 *H.* 4. 7.) certifie the names of ſuch

maintainers and embracers, together with their misdemeanors, in pain to forfeit 20 *l.* a piece; which Certificate shall have like force of proving the offence as a Verdict of Twelve men: And then such maintainers and embracers shall forfeit 20 *l.* a piece, and remain in Prison at the discretion of the Justices.

☞ Robberies.

I. **Stat West.** 1. 9. 3 *Ed.* 1. All persons shall be ready (at the Summons of the Sheriff and Cry of the Country) to pursue and arrest Felons, in pain (after Attainder thereof) to make Fine to the King.

II. If default be in the Lord of a Franchise, the King shall seise his Franchise; but if in his Bailiff, the Bailiff shall be imprisoned for a year, and make fine to the King: and if he have not whereof, he shall suffer two years imprisonment.

III. If the Sheriff, Coroner, or other Bailiff, for any reward, fear, or favour, conceal, consent to, or procure to conceal, any Felonies done within their Liberties, or will not attach or arrest them, (where they may) and be thereof attainted, they shall suffer one years Imprisonment, and be grievously fined to the King, if they have whereof; but if not, they shall suffer three years Imprisonment.

IV. **Stat.** of *Winchester*, *Cap.* 1. 13 *E.* 1. Immediately upon Robberies and Felonies committed, fresh Suit shall be made from Town to Town, and from Country to Country.

V. *Cap.* 2. When need requires, Inquests shall be made in Towns by the Lord there, and then in the Hundred, after in the County, and sometime in two, three or four Counties, when the Felony is committed in the division of the Countries. Here, if the Country will not answer the Bodies of the Offenders, the People there shall be answerable for all the Robberies done, and also for the damages. So as the whole Hundred, where the Robberies are done, (together with the Liberties therein) shall be answerable for the Robberies there committed: and if they be done in the division of two Hundreds, both Hundreds together, with their Franchises, shall answer them. And here, the Country shall have but forty days given them to agree for the Robbery or Offence, otherwise they are to answer for the Bodies of such Offenders.

VI. *Cap.* 4. In great Towns walled, the Gates shall be shut from Sun-set till Sun-rising; and none shall lodge without the Town from nine a Clock until day, unless his Host will answer for him: for which purpose, the Bailiffs of the Town shall make search once every fortnight, at least, and if they find any suspicious person lodged without the Town against the Peace, they shall do right therein. Again, betwixt *Ascension-day* and *Michaelmas*, Watch shall be kept all night, from Sun-set until Sun-rising, *viz.* in a City with six men at every Gate, in a Burrough with Twelve

Twelve men, and in every Town with ſix or four men, according to the number of the Inhabitants there. If any Stranger paſs by them, he ſhall be Arreſted until the Morning; when, if they have no ſuſpicion of him, they ſhall let him go quit: but if otherwiſe, they ſhall deliver him to the Sheriff to be ſafely kept, until he be duly acquitted. And here, if he will not obey the Arreſt, they ſhall levy Hue and Cry upon him: and for ſuch Arreſt of a Stranger, none ſhall be puniſhed.

VII. *Cap.* 5. High-ways leading from Market to Market ſhall be ſo enlarged, that there ſhall not be any Dike, Tree or Buſh, within two hundred foot thereof: Howbeit, this Act ſhall not extend to great Trees. Here, if by default of the Lord, in not removing his Dike, Under-wood, or Buſhes, any Robbery be here committed, he ſhall be anſwerable for the ſame; and if there be Murther committed, the Lord ſhall make Fine at the King's Will. And in caſe the Lord be not able to fell the Under-woods, the Country ſhall help him. The King's Demeſn-Lands and Foreſts ſhall be alſo ſubject to this Law. And if a Park be ſet too near the High way, the Pale thereof ſhall be removed to the diſtance aforeſaid.

VIII. *Cap. 6. Pars inde.* Two Conſtables ſhall be choſen in every Hundred and Franchiſe, who ſhall preſent to the Juſtices aſſigned ſuch defaults as they ſhall find in the Country concerning Suits, Watches and High-ways; and alſo ſuch perſons as lodge Strangers in uplandiſh Towns, for whom they ſhall not anſwer. And the Juſtices aſſigned ſhall preſent them at the Parliament to the King, who will provide remedy therein. Alſo Sheriffs and Bailiffs of Franchiſes are ſtreightly commanded to follow the Cry with the Country, and to keep Horſe and Arms to perform the ſame, in pain to be preſented by the Conſtables to the Juſtices aſſigned, and by them to the King, as aforeſaid.

IX. **Artic. ſuper Chart.** 17. 28 *E.* 1. The Statute of *Weſtminſter* ſhall be again ſent into every County, to be read and publiſhed four times in the year, and to be kept as ſtrictly as the Great Charter, upon the pains therein limited. And for the better obſervance thereof, the Knights aſſigned in the Counties to redreſs things done againſt the Great Charter ſhall be likewiſe charged with this, and have Warrant for the ſame accordingly.

X. **Stat.** 5 *Ed.* 3. 14. If any have ſuſpicion of Night-Walkers, or other ſuſpicious perſons (*then called Robertſmen, Waſters, or Draw-Latches*) by day or Night, they ſhall be preſently arreſted by the Conſtables: and if it be in a Franchiſe, they ſhall be delivered to the Bailiffs; but if in a Guildable, then to the Sheriff; and ſhall be kept in Priſon till the coming of the Juſtices to deliver the Gaol: and in the mean time the Sheriff or Bailiff ſhall enquire of ſuch Arreſts, and return their Inqueſts before the Juſtices at their coming together, with the cauſe of their taking; whereupon the Juſtices ſhall proceed to their deliverance according to Law. And

here, if the Sheriff or Bayliff neglect to enquire, they ſhall be amerced, and nevertheleſs the Juſtices ſhall make enquiry, and proceed to the deliverance.

XI. Stat. 28 *E.* 3. 11. The Statute of *Wincheſter*, *Cap.* 1. and 2. 13 *E.* 1. is confirmed, *being in a manner the ſame with that word for word.*

XII. Stat. 7 *R.* 2. *Cap.* 6. The Statute of *Wincheſter* is again confirmed, and it ſhall be proclaimed four times a year by the Sheriff himſelf in perſon in every Hundred, and in every Market by the Bayliffs thereof.

XIII. Stat. 27 *El.* 13. The Hundred where freſh Suit ſhall ceaſe ſhall anſwer half the damages to the Hundred wherein the Felony ſhall be committed, to be recovered in any Court at *Weſtminſter*, in the name of the Clerk of the Peace of the County wherein the Felony was committed: and here, the Death or change of the Clerk of the Peace ſhall not abate the ſuit.

XIV. When in this caſe damages are recovered againſt one or ſome few Inhabitants of the Hundred, and the reſt refuſe to contribute thereunto, two Juſtices of Peace, (1. *Q.*) dwelling within or near the ſame Hundred, ſhall for the levying thereof ſet a Tax upon every Pariſh within that Hundred; according to which the Conſtables and Head-burroughs of every Town ſhall Tax the particular Inhabitants, and levy the Mony upon them by diſtreſs and ſale of goods, and deliver the Mony levied to the ſaid Juſtices, or ſome of them.

XV. No Hundred ſhall be chargeable, when any one of the Malefactors ſhall be apprehended, or when the Action is not proſecuted within one year after the Robbery committed.

XVI. No Hue and Cry ſhall be deemed legal, unleſs the purſuit be both by Horſe and Foot.

XVII. No perſon robbed ſhall maintain an Action in this caſe, unleſs with all convenient ſpeed he makes his Robbery known to ſome near Town, Village or Hamlet, and within twenty days before the Action brought make Oath before a Juſtice of Peace, dwelling within or near the Hundred where the Robbery was committed, whether he know the parties that Robbed him, or any of them; and if he know, he ſhall enter into ſufficient Bond before the ſame Juſtice, to proſecute the Perſon or Perſons ſo by him known, by Indictment or otherwiſe, according to the Law.

XVIII. Stat. 39 *El.* 25. A remedy for the Inhabitants of the Hundred of *Henhurſt* in the County of *Berks*, for recovery of ſuch ſums of Mony as ſhall be gained from them by force of the Statute of 22 *El.* 11.

XIX. Stat 13 & 14 *Car.* 2. *Cap.* 22. From the Feaſt of St. *Michael* the Archangel, 1662. for five years, the Juſtices of Peace of *Northumberland* and *Cumberland* at any General Seſſions of the Peace, may make an order for charging the Inhabitants for the ſecuring the ſaid Counties from the ſpoil and rapine of diſorderly and lewd perſons, called *Moſs-Troopers.*

XX. *Nor-*

XX. *Northumberland* ſhall not be charged with above 500 *l.* nor *Cumberland*, with above 200 *l.* in the year: and for this end the ſaid Juſtices may appoint from time to time, any perſon to have the command of a certain number of men, not exceeding thirty in *Northumberland* and twelve in *Cumberland*, to ſearch out and bring to Trial the ſaid Malefactors. The ſaid Juſtices may iſſue their Warrants to the ſeveral Conſtables and other Officers, to levy the ſaid ſums by diſtreſs and ſale of Goods, and they or any of them may examine Complaints againſt Collectors, or other perſons failing to give obedience to this Act, or acting in diſturbance thereof: and bind ſuch perſons over to the next Quarter-Seſſions.

XXI. The ſaid Juſtices may appoint a Treaſurer to receive the Mony from the Collectors, and pay it over according to their Orders: and may agree with thoſe yearly, that they employ in the ſaid Service, and take Security of them for the faithful performance thereof.

XXII. Perſons employed in the Border-ſervice, that ſhall wilfully neglect to Apprehend or bring to Trial the ſaid Moſs-Troopers, ſhall be diſabled to manage the ſaid employment, and be fined and impriſoned by the Juſtices of Peace at their General Seſſions.

XXIII. The Juſtices may leſſen the Charge if they ſee cauſe. This Act ſhall continue five years and no longer. The Statutes in 4 *Jac* and 7 *Jac.* ſhall be revived and put in Execution.

XXIV. **Stat.** 18 *Car.*2. *Cap.* 3. The Act of 14 *Car.*2. *Cap.*22 ſhall continue ſeven years from the expiration thereof.

XXV. Great, known and notorious Thieves and Spoil-takers in the ſaid Counties during the continuance of this Act, ſhall loſe the benefit of their Clergy: or otherwiſe, the Juſtices of Aſſize, *Oyer* and *Terminer*, or Gaol-delivery, before whom ſuch Offenders ſhall be convicted, may tranſport them into any of the King's Dominions in *America*, not to return.

XXVI. **Stat.** 29 & 30 *Car.*2. *Cap.*2. The two Acts of 14 *Car.*2. *Cap.* 22. and 18 *Car.* 2. *Cap.* 2. ſhall continue for ſeven years, and from thence to the end of the firſt Seſſion of the next Parliament.

XXVII. The ſaid Juſtices ſhall at their Quarter-Seſſions take ſecurity of ſuch as they employ in the ſaid ſervice, to anſwer the damages ſuſtained by their default, within four Months after proof thereof made by Oath of one Witneſs, at the next Quarter-Seſſions; ſo as the Goods ſtollen be entred in one of the Books to be kept for that purpoſe within forty eight hours after they ſhall be ſtollen: and Books ſhall be kept for that end in every Market-Town of the ſaid Counties, and at ſuch other places, and by ſuch perſons as the ſaid Juſtices ſhall order.

XXVIII. The ſaid Juſtices ſhall yearly, or every two years at fartheſt, in open Court appoint perſons to be employed in the ſaid ſervice.

XXIX. Every perſon ſo employed, or as Treaſurer for the ſaid ſervice, ſhall receive the Sacrament of the Lords Supper in ſome publick Church, upon ſome *Sunday*, within three Months after they ſhall enter on ſuch Employment, and deliver a Certificate thereof to the next Quarter-Seſſions, and take the Oaths of Allegiance and Supremacy, and make and ſubſcribe the Declaration appointed by 25 *Car.* 2. *Cap.* 3.

XXX. **Stat.** 1 *Jac.* 2. *Cap.* 14. The three Acts laſt abovementioned, ſhall continue for the ſpace of Eleven years, and from thence to the end of the firſt Seſſion of the next Parliament.

☞ Rome.

* I. **Stat.** 25 *H.*8. 19. The Convocation ſhall be aſſembled by the King's Writs, and ſhall not enact any Conſtitutions or Ordinances without the King's aſſent.

II. No Canons ſhall be executed which be repugnant to the King's Prerogative, or the Cuſtoms, Laws or Statutes of this Realm.

III. There ſhall be no Appeals to *Rome*, but from henceforth they ſhall be according to the Statute of 24 *H.*8. 12. *Which ſee in Appeals to* Rome.

IV. Appeals from the Courts of Arch-biſhops of this Realm ſhall be to the King in *Chancery*, out of which ſhall thereupon iſſue out a Commiſſion under the Great Seal to certain perſons to be named by the King, who ſhall thereby have power to hear, and definitely to determine all ſuch Appeals, and the cauſes concerning the ſame, and from whoſe decree or ſentence therein there ſhall be no farther Appeal.

V. If any ſue for an Appeal to *Rome*, he ſhall incur a *Præmunire*, *But this is made Treaſon by* 13 Eliz. 2. *which ſee in* Crown.

VI. Appeals from places exempt, which were before the See of *Rome*, ſhall be henceforth into the *Chancery*, and ſhall be determined before the Commiſſioners, as aforeſaid.

VII. Provided, that all Canons, Conſtitutions, Ordinances and Synodals Provincial, not repugnant to the King's Prerogative, nor to the Cuſtoms, Laws, or Statutes of this Kingdom, ſhall be ſtill uſed and executed, notwithſtanding this Act.

* VIII. **Stat.** 25 *H.* 8. 20. No man ſhall be preſented to the See of *Rome* for the Dignity of an Archbiſhop or Biſhop, neither ſhall Annates or Firſt-Fruits be paid to the ſame See.

IX. Concerning the Election of the Archbiſhops and Biſhops, the King may ſend to the Prior and Convent, or Dean and Chapter, of the place which ſhall be void, his Letters miſſive containing his *Conge d'eſlire*, or licence to elect the perſon named in the ſaid

Letters

Letters miſſive; which perſon they are to chuſe for their Archbiſhop or Biſhop, and none other.

X. In caſe they fail to make Election accordingly, the King ſhall nominate ſuch an Archbiſhop or Biſhop by his Letters Patents: and if it be a Biſhop, he ſhall preſent him to the Archbiſhop, or (in caſe that the See be then void) to any other Archbiſhop within his Dominion; but if it be an Archbiſhop, then to an Archbiſhop and two other Biſhops, or elſe to four other Biſhops, to be nominated by the King.

XI. When any Archbiſhop or Biſhop is elected or preſented, as aforeſaid, they are in due form to be inveſted and conſecrated: *viz.* a Biſhop by the Archbiſhop of that Province, or (in caſe of vacation) by any other within the King's Dominions; and an Archbiſhop by ſome other Archbiſhop and two Biſhops, or elſe by four Biſhops; without ſuing for any Bulls, Letters, or other things from the See of *Rome* for the ſame. And ſuch Archbiſhop or Biſhop, betwixt his Election and Conſecration, ſhall be called the *Lord Elect* of ſuch a Dignity.

XII. Such Election or Preſentment of an Archbiſhop or Biſhop ſhall be lawful, and make them capable to do and execute all things that concern the ſaid Dignities.

XIII. If the Prior and Convent, or the Dean and Chapter, within twenty days after the receipt of the King's *Conge d'eſtire* do not proceed to Election, and certifie the ſame to the King; or if the Archbiſhop or Biſhops unto whom the King preſents any ſuch perſon, to be inveſted and conſecrated, as aforeſaid, do not perform the ſame accordingly within twenty days after ſuch Preſentment; or if any perſon or perſons do admit, obey or execute any Cenſures, Excommunications, Interdictions, Inhibitions, or any other Proceſs or Act, in derogation of this Act; that then all and every perſon and perſons offending ſhall incur a *Præmunire*.

XIV. Stat. 25 *H.* 8. 21. No Impoſition ſhall be paid to the Biſhop or See of *Rome*, neither ſhall any perſon ſue for any Diſpenſation or Licenſe to the Biſhop of *Rome*.

XV. The Archbiſhop of *Canterbury* may grant Diſpenſations to the King, and likewiſe Licenſes to all others, of things formerly uſed to be licenſed: Howbeit, of cauſes not uſed to be licenſed no Diſpenſations ſhall be granted, without the Approbation of the King and his Council.

XVI. Here, Licenſes of things whereof the Tax did heretofore extend (at *Rome*) to 4 *l.* ſhall be alſo confirmed by the King's Great Seal, and likewiſe enrolled in *Chancery* by a Clerk thereto appointed; but all others may be granted by the Archbiſhop without ſuch confirmation, unleſs the party deſire to have it enrolled, and then the Fee for the Seal ſhall be 5 *s.* and not above: And all Acts done by ſuch Licenſes ſhall be good in Law.

XVII. All Children procreated after Marriage to be had or done by ſuch Licenſes or Diſpenſation, ſhall in all Courts be admitted legitimate and inheritable.

XVIII. There

XVIII. There ſhall be a Clerk aſſigned by the Archbiſhop to regiſter Diſpenſations, and another by the King to enrol Confirmations.

XIX. There ſhall be two Books made wherein the taxes of Diſpenſation ſhall be written, whereof one ſhall remain with the ſaid Regiſter of the Diſpenſations, and the other with the ſaid Clerk of the Confirmations.

XX. None ſhall pay for Diſpenſation greater taxes than ſhall be ſet down in the ſaid Books; and if any Officer takes more, he ſhall forfeit ten times ſo much, to be divided betwixt the King and the Proſecutor: Howbeit, where they are Arbitrary, the Archbiſhop and the Lord Chancellor and Keeper ſhall rate them. And here alſo is ſet down how the Mony received ſhall be divided. *For which ſee the Statute at large.*

XXI. This Act ſhall not inhibit the Archbiſhop of *York*, nor other Biſhops, to diſpenſe as they were wont to do by the Common Law and Cuſtom of this Realm.

XXII. During the vacation of the See of *Canterbury*, the Guardian of the Spiritualties ſhall grant Diſpenſations. Here is alſo a remedy provided, where the Archbiſhop or Guardian refuſe to grant Diſpenſations, *viz.* by a Commiſſion from the King, to impower two other Prelates to perform the ſame. *For which ſee the Statute at large.*

XXIII. All Religious Houſes heretofore exempt from the Viſitation of the Archbiſhop ſhall ſtill remain ſo, notwithſtanding this Act, and ſhall be under Viſitation of the King by Commiſſion under the great Seal; ſo as the Pope's power ſhall be quite excluded from all ſuch Viſitations: neither ſhall any Religious perſons from henceforth depart this Realm for any Viſitation, Congregation or Aſſembly whatſoever, but all ſuch Meetings ſhall be hereafter within the King's Dominions.

XXIV. Howbeit, this Act, nor any Licence or Diſpenſation to be granted thereby, ſhall derogate from the Statute of 21 *H.* 8. 13. touching Pluralities of Benefices or Non-reſidence.

XXV. Whoſoever ſues for any Licence, Diſpenſation, &c. to the See of *Rome*, or obeys any Proceſs from thence, ſhall incur a *Præmunire*. *But this is made Treaſon by* 13 El. 2.

XXVI. Grants and Confirmations of Liberties obtained from the See of *Rome* to any Abbeys, or other Religious Houſes, ſhall be of the ſame effect as they were before this Act.

XXVII. Abbeys nor other places exempt ſhall pay any Penſions to the See of *Rome*, nor accept any Diſpenſation or Confirmation from thence, nor make any Oath to the Biſhop thereof; and where no ſuch Confirmation was requiſite, they ſhall ſtill remain as before, notwithſtanding this Act.

XXVIII. Diſpenſations obtained at *Rome* before the 12*th* of *March* 1533. ſhall remain of the force that they had before this Act.

XXIX. The King, with the advice of his Council, may reform the manner of Indulgences.

Safe

Safe Conduct.

I. Stat. 15 H.6.3. IN all Safe Conducts, the name of them of the Ship, and of the Master, and the number of the Mariners, together with the Portage of the Ship, shall be expressed.

II. Stat. 18 H.6. 8. Goods may be loaded into the Ships of the King's Enemies, so as the Merchant hath an authentick Safe Conduct for them; otherwise they may be made prize by any that can take them.

III. Stat. 20 H.6.1. All Letters of Safe Conduct, which be not enrolled in the Chancery before the delivery of them, shall be void.

IV. They who will take benefit of the King's safe Conduct, shall have it ready enrolled at the time of their Apprehension: Howbeit, although the Safe Conduct be not presently shewed, yet it will suffice, if it be afterwards proved to be then enrolled.

Saint Johns.

I. Stat. 32 H.8.24. By this Act the Corporation of Saint *Johns* of *Jerusalem* in *England* and *Ireland* was dissolved, and the Priors and Confreres thereof prohibited to wear the Marks, &c.

II. The King was to have their Houses, Churches, Lands, Goods, Chattels, Debts, and all other things of theirs. There be also divers Pensions appointed severally to the Priors, Chaplains and Confreres of that Order, to continue during their lives.

III. All of that Order are discharged from Obedience for their Religion, and also enabled to sue, and to take and have such liberty as other Religious persons were enabled by 31 H.8. 6. (*which see in Ability.*) Likewise their lands are to be within the survey of the Court of Augmentations.

Scarborough

I. Stat. 37 H.8.14. An Act for the incorporating of two persons, (by the name of the Masters or Keepers of the Peer and Key at *Scarborough,*) who have power to distrain every man having lands or houses there, for the fifth part of the yearly Revenue thereof, towards the repair of the said Peer and Key. *See the Statute at large.*

Sea and Sea-men.

I. Stat. 18 E. 3. *Stat.* 2. 3. The Sea shall be open to all Merchants to pass with their Merchandize where they please.

II. Stat.

II. Stat. 16 *Car.*2. *Cap.* 5. An Act to prevent the diſturbances of Sea-men and others, and to preſerve the Stores belonging to his Majeſty's Navy Royal. *Exp.*

* III. Stat. 19 *Car.* 2. *Cap.* 7. The Treaſurer, Comptroller, Surveyor, Clerk of the Acts, and Commiſſioners of the Navy, or one or more of them, may examine and puniſh all, whom they upon enquiry or view ſhall find to make, or have made any diſturbance, fighting or quarrelling in the Yards, Stores or Offices for the Navy, and puniſh the ſaid offences by Fine, Impriſonment, or either; the Fine not exceeding 20 *s.* nor the Impriſonment one Week; and may commit ſuch offenders to the next Gaol, or cuſtody of the Meſſengers attendant on them, and may diſcharge ſuch Fine and Impriſonment, if they think fit: and for non-payment of the Fine, may impriſon till payment; which Fines ſhall be paid to the Clerk of the Cheſt for the uſe of maimed Sea-men.

IV. The ſaid Officers and Commiſſioners, where puniſhment is needful, may bind ſuch Offenders to their good Behaviour, with or without Sureties.

V. The ſaid Officers and Commiſſioners, or one or more of them, by Warrant under their Hands and Seals, may ſearch for his Majeſties Stores and Ammunition pertaining to the Navy (which divers times are filched away) in all places, as Juſtices of Peace may do in caſe of Felony, and puniſh the offenders by Fine and Impriſonment, as aforeſaid, and cauſe the Goods to be brought in again: and if the offence require a higher puniſhment, they may commit the offender to the next Gaol, or cuſtody of their Meſſengers, till they enter Recognizance, with Surety or Sureties, to appear in the *Exchequer*, or other Court, within a year, on Proceſs duly ſerved.

VI. The ſaid Principal Officers and Commiſſioners may put in uſe the ſaid powers, as well within Liberties as without.

VII. This Act to continue for two years, and from thence to the end of the next Seſſion of Parliament.

VIII. Stat. 22 & 23 *Car.*2. *Cap.* 23. *The Act next afore-going* revived and continued during the continuance of this preſent Act (*Excepting one Clauſe, which is therefore omitted in the Abridgment of the ſaid Act.*)

IX. The ſaid Officers and Commiſſioners, or one or more of them, where any Goods, in being carried from his Majeſties Yards, Wharfs, Store-houſes, or other places, to his Ships; or re-carried, ſhall be imbezelled, and the value thereof be under 20 *s.* may upon the Oaths of two or more Witneſſes, or other legal Proof, convict the Offenders by Writing under Hand and Seal, and impoſe ſuch Fine as they ſhall think fit; not exceeding double the value of the Goods imbezelled; to be levied by diſtreſs and ſale of Goods; and if no ſufficient Diſtreſs can be found, the Offender may be impriſon'd in the next Gaol, for any time, not exceeding three Months without Bail or Mainprize.

X. The ſaid Officers and Commiſſioners, or one or more of them upon

upon Oath of two or more Witneſſes, that any of his Majeſty's Stores and Naval Proviſions, are conveyed into any Veſſel, being at Anchor, and not ready to ſail that Tide; or any perſon by their Warrant, ſpecifying the quantity or quality of ſuch Goods, may in the preſence of any known Officer of the Admiralty, go on board any ſuch Veſſel: and if reſiſtance be made upon demand, to break open the Hatches, and other places of the Ship, and ſearch for ſuch Stores &c. and ſeize and carry them away, to be apply'd to the King's uſe; unleſs the ſaid Officers and Commiſſioners ſhall find they were unduly ſerved.

XI. Whoſoever ſhall perſonate any Seaman, Souldier, Artificer or Labourer, before the ſaid Officers or Commiſſioners, or the Pay-Maſter or Caſhier of the Navy, in order to the receiving his Mony, ſuch perſon may be committed to Priſon by any of the ſaid principal Officers or Commiſſioners, till he find Bail to anſwer the offence at the next Aſſizes or Quarter Seſſions: and being there convict, he ſhall forfeit double the Sum that he would have gained by fraud, to the Governours of the Cheſt at *Chatham*; and ſuffer impriſonment, not exceeding a year, at the diſcretion of the Court.

XII. Any perſon counterfeiting the hands of any the ſaid Officers or Commiſſioners, or the hands of any of the ſigning or vouching Officers of the Navy, to any Bill, &c. whereby the King's Naval Treaſure is diſpoſed of, or knowingly produce any ſuch counterfeit Bill, &c. ſhall be committed by the ſaid Officers or Commiſſioners, or one of them, till he find Surety, as aforeſaid.

XIII. The ſaid Officers and Commiſſioners, or any one of them, may adminiſter an Oath in any caſe relating to his Majeſty's Treaſure, Victuals, Stores, &c. or for the preſervation of Diſcipline in all matters cognizable by them.

☞ XIV. The ſaid Officers and Commiſſioners, &c. may execute the powers given by this Act, as well within Liberties as without.

XV. No Ordinary or Officer belonging to any Eccleſiaſtical Court, or any Juriſdiction whatſoever, ſhall take of the Executors or Adminiſtrators (being the Wife, Children, or next of Kindred) of any Mariner, Souldier, Seaman, or above-named Artificer (except where the deceaſed ſhall leave an Eſtate of 20 *l.* or more) dying in the King's Pay, above 5 *s.* for the whole charge of the Probate, Regiſtring, granting, admoniſhing and exhibiting an Inventory, and any other thing relating thereunto. Officers taking more, or delaying the executing of the Premiſes, ſhall forfeit to the party grieved 10 *l.*

XVI. Nothing in this Act ſhall repeal or change any Clauſe or Matter in an Act *made* 22 Car. 2. *for taking away the benefit of Clergy from ſuch as ſteal Cloth from the Rack, and from ſuch as ſhall ſteal or imbezil his Majeſty's Ammunition and Stores.*

XVII. The Lord High Admiral may exerciſe all the Powers hereby given.

XVIII. None puniſhed by virtue of this Act, ſhall be puniſh'd for the ſame offence by any other Law.

XIX. This

XIX. This Act ſhall continue in force for ſeven years, and from thence to the end of the next Seſſion of Parliament, and no longer.

XX. **Stat.** 1 *Jac.* 2. *Cap.* 17. The Act next before going ſhall be in force for ſeven years, and from thence to the end of the firſt Seſſion of the next Parliament.

Seals.

I. **Artic ſuper Chart.** *Cap.* 6. 28 *E.* 1. No Writ concerning the Common Law ſhall be awarded under any of the Petty Seals.

II. **Stat.** 11 *R.* 2. 10. The King's Signet, or Privy-Seal, ſhall not be ſent in prejudice of the Realm, or diſturbance of the Law.

III. **Stat.** 4 *H.* 7. 14. All Grants and Writings of Lands, and other things pertaining to the Earldom of *March* ſhall be under the Great Seal, and not under the ſpecial Seal.

Serjeants at Arms.

I. **Stat.** 13 *R.* 2. 6. There ſhall be but thirty Serjeants at Arms, who ſhall meddle with nothing but what concerns their Offices; neither ſhall they oppreſs the people, in pain to loſe their Office, make Fine to the King at his pleaſure, and full ſatisfaction to the party.

☞ Service and Sacraments.

* I **Stat.** 1 *E.* 6. 1. None ſhall ſpeak or do any thing in contempt of the moſt Holy Sacrament, in pain of Impriſonment, and to make Fine and Ranſom at the King's Will.

II. Three Juſtices of Peace (1. *Qu.*) have power to take information by the Oaths of two lawful perſons (at leaſt) concerning the offence aforeſaid, and to bind over by Recognizance every accuſer and witneſs in 5 *l.* a piece, to appear the next Seſſions, to give evidence againſt the Offenders, who are there to be enquired of before three Juſtices or more, by the Oaths of twelve men, and alſo indicted, if the matter alledged againſt them be found true.

III. Three Juſtices or more have likewiſe power to ſend out two Writs, *Capias* and *Exigend*, and a *Capias Utlagat.* againſt ſuch Offenders in all Counties and Liberties; and upon their appearance to determine the contempts and offences aforeſaid, or to take Bail for their appearance to be tried, as aforeſaid.

IV. The Juſtices alſo have power to direct a Writ in the King's name to the Biſhop of the Dioceſs where the offence was committed, by which he ſhall be required to be preſent himſelf (or ſome for him ſufficiently learned) at the Arraignment of the Offender, and to give advice concerning the offence committed.

V. The

V. The offence ſhall be proſecuted within three months, and the Offender ſhall be admitted to produce Witneſſes for his defence.

VI. The Miniſter ſhall deliver the Sacrament to every perſon in both kinds, and ſhall not (without lawful cauſe) deny it to any that will devoutly and humbly deſire it.

VII. Stat. 2 & 3 *Ed.* 6. 1. Every Miniſter ſhall uſe the Church-Service in ſuch form as is mentioned in the Book of Common-Prayer eſtabliſhed by this Act, and ſhall not uſe any other, or deprave the ſame: in pain (if he be Beneficed, and convict thereof by the Verdict of Twelve men, his own confeſſion, or notorious evidence of the fact) to forfeit to the King for the firſt offence that of his Benefices which the King will chuſe, and to ſuffer ſix months impriſonment; for the ſecond, to ſuffer one whole years impriſonment, and to be deprived *ipſo facto* of all his ſpiritual promotion, whereupon every Patron may preſent; and for the third, to ſuffer impriſonment during life. And if he be not Beneficed, for the firſt offence he ſhall ſuffer ſix months impriſonment; and for the ſecond, impriſonment during life.

VIII. If any ſhall be convicted to have by Enterludes, Plays, Songs, Rhythms, or otherwiſe, depraved the ſaid Books; to have compelled or procured the Miniſter to ſing or ſay any other Church-Service, or any other form, than as aforeſaid; or by any ſuch means to have interrupted or let the Miniſter to ſing or ſay the ſaid Service; they ſhall for the firſt offence forfeit 10 *l.* to the King, or (that not paid within ſix weeks after conviction) ſhall ſuffer inſtead thereof three months impriſonment without Bail; for the ſecond time offending, ſhall forfeit 20 *l.* or (that not paid within ſix weeks as aforeſaid) ſhall ſuffer ſix months impriſonment without Bail; and the third time ſhall forfeit all their Goods, and ſuffer impriſonment during life.

IX. Juſtices of *Oyer* and *Terminer* and Juſtices of Aſſize have power to hear and determine theſe offences; unto whom the Archbiſhop or Biſhop of the Diocеſs may aſſociate himſelf, if he pleaſe.

X. This ſhall not reſtrain any private man or publick Colleges, to uſe the ſaid Service in ſuch Tongues as they underſtand, the holy Communion only excepted; or any other to uſe Pſalms or Prayers taken out of the Bible, at convenient times, not letting thereby the ſaid Service.

XI. The offences aforeſaid ſhall be proſecuted at the next Aſſize or Seſſions of *Oyer* and *Terminer* after they are committed: And here, trial of Peers ſhall be by Peers.

XII. Chief Officers of Cities and Corporations ſhall alſo hear and determine theſe offences within their ſeveral Precincts, and ſo likewiſe ſhall Eccleſiaſtical Magiſtrates: Howbeit, none ſhall be puniſhed above once for one offence.

XIII. Stat.

XIII. **Stat.** 5 & 6 *E.* 6. 1. Every perſon ſhall reſort to his Pariſh-Church or Chapel, (or upon juſt let) go to ſome other, every Sunday and Holyday, in pain to be puniſhed by the Cenſure of the Church.

XIV. The Common-Prayer-Book now made perfect, and annexed to this Act, together with the addition of conſecrating Archbiſhops, Biſhops, Prieſts and Deacons, ſhall be uſed and eſteemed as by the Statute of 2 & 3 *Ed.* 6. 1. is ordained, under the pains in that Statute expreſſed.

XV. If any ſhall be convicted by Verdict of Twelve men, before Juſtices of Aſſize, *Oyer* and *Terminer*, or Peace in Seſſions, to have wittingly heard, or have been preſent at any other form of Common-Prayer, Adminiſtration of Sacraments, making of Miniſters, or other Rites than what are expreſſed in the ſaid Book, or which are contrary to the ſaid Statute of 2 & 3 *E.* 6. 1. he ſhall for the firſt offence ſuffer ſix Months Impriſonment without Bail; for the ſecond, twelve Months Impriſonment; and for the third, Impriſonment during life.

XVI. **Stat.** 1 *M. Seſſ.* 2. *Cap.* 3. If any ſhall diſturb a Preacher lawfully licenſed, he ſhall be by the Conſtables or Churchwardens of the Pariſh brought before a Juſtice of Peace, who, upon due accuſation, ſhall preſently commit him to ſafe Cuſtody, and within ſix days after, together with another Juſtice, ſhall diligently examine the fact; who, if they find cauſe, ſhall commit him to the Common Gaol, there to remain for three Months, and from thence to the next Quarter-Seſſions; at which, upon the parties reconciliation, and entring into Bond for good Behaviour for one whole year, (at the diſcretion of the Juſtices in Seſſions he ſhall be releaſed; but if he perſiſt ſtill in his obſtinacy, he ſhall remain in Priſon without Bail, until he ſhall reconcile, and be penitent for his offence.

XVII. He that reſcues an Offender in this kind ſhall ſuffer like impriſonment as aforeſaid; and beſides, ſhall forfeit 5 *l.* to the Queen.

XVIII. The Inhabitants of a Town that ſuffer ſuch an Offender to eſcape ſhall forfeit 5 *l.* being preſented before the Juſtices of Peace in Seſſions, within the County or Corporation where the eſcape was made.

XIX. Juſtices of Peace, Aſſize, and *Oyer* and *Terminer*, and Mayors and Head-Officers of Corporations, have power to hear and determine theſe offences, and to impoſe the Fines aforeſaid.

XX. This Act ſhall not reſtrain the Juriſdiction of the Eccleſiaſtical Laws: Howbeit, none ſhall be puniſhed here twice for one offence.

XXI. **Stat.** 1 *El.* 2. Every Miniſter ſhall uſe the Church-Service in ſuch form as is mentioned in the Book of Common-Prayer eſtabliſhed by 5 & 6 *E.* 6. 1. together with the addition of certain Leſſons to be uſed on every Sunday in the year, and the form of the Litany altered and corrected, and two Sentences only added in the delivery of the Sacrament to Communicants.

XXII. If

XXII. If any Miniſter ſhall be convicted by the Verdict of twelve Men, his own confeſſion, or notorious evidence of the fact, to have refuſed to uſe the Church-Service, or to have uſed any other Right, Ceremony, Order, Form or Manner, than is ſet forth in the ſaid Book, or to have depraved the ſame Book, or any thing therein contained; he ſhall forfeit, (being a Beneficed man) for the firſt offence, one whole years profit of all his Spiritual promotions, and ſuffer ſix Months impriſonment; for the ſecond ſhall be deprived *ipſo facto*, whereupon every Patron may preſent, and ſhall ſuffer one whole years impriſonment; and for the third, ſhall be alſo deprived, as aforeſaid, and ſuffer impriſonment during life: And if he be not Beneficed, for the firſt offence he ſhall ſuffer one whole years impriſonment; and for the ſecond, impriſonment during life.

XXIII. If any ſhall be convicted to have by Enterludes, Plays, Songs, Rhymes, or otherwiſe, depraved the ſaid Book, or to have compelled or procured the Miniſter to ſing or ſay any other Church-Service, or in any other form, than as aforeſaid, or by any ſuch means have interrupted or let the Miniſter to ſing or ſay the ſaid Service; they ſhall for the firſt offence forfeit a hundred Marks to the Queen, or, that not paid (within ſix Weeks after conviction) ſhall ſuffer (inſtead thereof) ſix Months impriſonment; for the ſecond offence, ſhall forfeit four hundred Marks, or, that not paid (within ſix Weeks as aforeſaid) ſhall ſuffer one whole years impriſonment; and for the third offence, ſhall forfeit all their Goods and Chattels, and ſuffer impriſonment during life.

XXIV. Every perſon ſhall reſort to their Pariſh-Church, or (upon let thereof) to ſome other, every Sunday and Holyday; upon pain to be puniſhed by Cenſures of the Church, and alſo to forfeit 12 *d.* to be levied by the Church-wardens there, for the uſe of the Poor, upon the Offenders Goods by way of diſtreſs.

XXV. Juſtices of *Oyer*, and *Terminer*, and of Aſſize, and Mayors and Head-Officers of Corporations, have power to hear and determine theſe offences; unto whom the Archbiſhop or Biſhop of the Dioceſs may aſſociate himſelf, if he pleaſe. *Howbeit, Note, that by the Statute of* 23 El. 1. *Juſtices of Peace have alſo power to meddle therein; which ſee in Title* Crown.

XXVI. None ſhall be impeached by this Act, unleſs the offence be preſented at the next Seſſions of *Oyer* and *Terminer*, or Aſſize, after it is committed: and here, tryal of a Peer ſhall be by Peers.

XXVII. This Act ſhall not reſtrain Eccleſiaſtical Juriſdiction, howbeit none ſhall be puniſhed twice for one offence.

XXVIII. Such Ornaments and Miniſters of the Church ſhall be retained as were to be in the Church of *England* by the Statute of 2 *&* 3 *Ed.* 6. 1. until the Queen ſhall take other order by the advice of Commiſſioners, by her to be appointed under the Great Seal, or by the advice of the Metropolitan of this Realm.

XXIX. If any Contempt or Irreverence be uſed in the Ceremonies or Rites of the Church, by miſuſing the Orders appointed in the Book of Common-Prayer, the Queen, by like Advice of the ſaid Commiſſioners or Metropolitan, may ordain ſuch farther Ceremonies or Rites as may be moſt for God's glory, the edifying of the Church, and reverence of Chriſt's holy Miniſters and Sacraments.

XXX. All other Laws made for other Service ſhall be void.

XXXI. **Stat.** 5 *Eliz.* 28. An Act for Tranſlating of the Bible and Book of Common-Prayer into the *Welſh* Tongue: Alſo there ſhall be an *Engliſh* Bible and Book of Common-Prayer in every Church of *Wales*.

XXXII. **Stat.** 3. *Jac.* 1. *cap.* 1. All Miniſters in every Cathedral and Pariſh-Church, or other uſual place for Common-Prayer within the Kings Dominions, ſhall always upon the fifth day of *November* ſay Morning-Prayer, and give thanks to God for the happy deliverance of the King, Queen, Prince, and both Houſes of Parliament, upon that day.

XXXIII. Every perſon within the Kings Dominions ſhall always upon that day diligently reſort to his Pariſh-Church or Chappel, or to ſome uſual Church or Chappel, where the ſaid Common-Prayer, Preaching and other Service of God ſhall be uſed, and there orderly abide during the ſaid ſolemnity.

XXXIV. Every Miniſter ſhall give warning publickly in the Church at Morning-Prayer the Sunday before every ſuch Fifth of *November*, for the due obſervation of the ſaid Day; and after Morning-Prayer or Preaching upon the ſaid fifth day of *November*, ſhall read publickly and diſtinctly this preſent Act.

XXXV. **Stat.** 13 & 14 *Car.* 2. *Cap.* 4. All Miniſters in any place of Publick Worſhip ſhall uſe the Adminiſtration of both Sacraments and the publick Prayers in ſuch order and form as is mentioned in the Book of Common-Prayer, with ſuch Additions and alterations as have been made therein by the Convocation now ſitting.

XXXVI. Every perſon that ſhall be put in any Eccleſiaſtical Benefice or Promotion ſhall in the place of Publick Worſhip thereto belonging within two Months after actual poſſeſſion thereof, upon ſome Lords-day read the Morning and Evening-Prayers according to the ſaid Book, and declare his aſſent and conſent to all things therein contained, in theſe words:

I A. B. *do hereby declare my unfeigned aſſent und conſent to all and every thing contained and preſcribed in and by the Book, Entituled, The Book of Common-Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church, according to the uſe of the Church of* England, *together with the Pſalter or Pſalms of* David, *pointed as they are to be ſung or ſaid in Churches, and the form or manner of Making, Ordaining, and Conſecrating Biſhops, Prieſts and Deacons.*

And

And they that neglect to do the ſame within that time, or in caſe of ſome impediment to be allowed by the Ordinary, within a month after ſuch impediment removed, ſhall be *ipſo facto* deprived of all their Eccleſiaſtical Benefices, and the Patrons may Preſent, as if they were dead.

XXXVII. Where the Incumbent of any Benefice with Cure doth reſide on his Living and keep a Curate, himſelf ſhall (not having ſome impediment to be allowed by the Ordinary) once in every Month read the Service, and if there be occaſion, Adminiſter the Sacraments and other Rites, as by the ſaid Book is appointed, or forfeit to the uſe of the Poor of the Pariſh for every offence upon conviction by Confeſſion, or Oaths of two Witneſſes before two Juſtices of Peace of the County, City, or Town-Corporate where, &c. 5 *l.* to be levied, in default of payment within ten days, by diſtreſs and ſale of Goods, by Warrant of the ſaid Juſtice, by the Church-wardens and Overſeers of the Poor.

XXXVIII. Every Dean, Canon, Prebendary, Maſters, and other, Heads, Fellows, Chaplains and Tutors of any Houſe of Learning, or Hoſpital, Profeſſors and Readers in the Univerſities, or Colleges elſewhere, Parſons, Vicars, Curates, Lecturers, and others in holy Orders, School Maſters of publick or private Schools, and Tutors of youth in Private Families, ſhall at, or before their reſpective Admiſſions, ſubſcribe the Declaration following, (*viz.* the Maſters and other, Heads, Fellows, Chaplains and Tutors of any Houſe of Learning, Profeſſors and Readers in either of the Univerſities, before the reſpective Vice-Chancellors, or their Deputies, and the reſt before the Archbiſhop or Ordinary of the Dioceſs.)

I A.B. *do declare, That it is not lawful upon any pretence whatſoever to take Arms againſt the King; and, That I do abhor that Trayterous poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him; and that, I will conform to the Liturgy of the Church of* England, *as it is now Eſtabliſhed; and I do declare, That I hold there lies no obligation upon me or any other Perſon, from the Oath, commonly called,* The Solemn League and Covenant, *to endeavour any change or alteration of Government in Church or State; and, that the ſame was in it ſelf an unlawful Oath, and impoſed upon the Subjects of this Realm againſt the known Laws and Liberties of this Kingdom.*

In default whereof, they ſhall be utterly deprived of the places, *ipſo facto*, which places ſhall be void as if they were dead.

XXXIX. School-Maſters and Private Tutors teaching any Youth before Licence from the Archbiſhop or Ordinary of the Dioceſs, (for which they ſhall pay but 12 *d.*) and before ſuch Subſcription, ſhall for the firſt offence ſuffer three Months impriſonment, and for the ſecond the like impriſonment and forfeit 5 *l.*

and every Parſon, Vicar, Curate and Lecturer ſhall procure a Certificate of his Subſcription, from the Archbiſhop or Ordinary, and read it, with the Declaration aforeſaid upon ſome Lord's day, within three months after, in his Pariſh-Church in Service time, or be diſabled and deprived of his place which ſhall be void, as if he were dead.

XL. After the 25*th* of *March* 1682. the latter part of the ſaid Declaration, beginning at theſe words, *viz. and I do declare, That I hold there lies no obligation upon me, &c.* ſhall be omitted.

XLI. No perſon not formerly made Prieſt by Epiſcopal Ordination, ſhall be capable of any Eccleſiaſtical Promotion, nor ſhall adminiſter the Lord's Supper, before he be ordained Prieſt according to the ſaid Book, on pain to forfeit one hundred pounds for every ſuch offence, one Moiety to the King, the other to be divided between the Poor of the Pariſh where the Offence is committed, and the Proſecutor, and to be diſabled from taking the Order of Prieſt by the ſpace of a year.

XLII. This Act ſhall not extend to the Foreigners of the Foreign Reformed Churches allowed by the King.

XLIII. No lapſe ſhall accrue by virtue of this Act, but after ſix Months after notice or publick reading of ſuch Sentence of Deprivation in the Pariſh Church, the Incumbent thereof ſhall be deprived.

XLIV. No form of Common Prayers, Adminiſtration of Sacraments, Rites, &c. ſhall be uſed in any publick place, other than according to the ſaid Book. Heads of Colleges or Halls in either Univerſity, and of the Colleges of *Weſtminſter*, *Wincheſter* and *Eaton*, within a month after admiſſion, ſhall in the Chapel or other publick place of the ſaid College, &c. before the greater part of the Fellows and Scholars then reſident, ſubſcribe the Thirty nine Articles, and declare his approbation thereof, and of the ſaid Book: and ſuch of them as ſhall be in Orders ſhall once a quarter (not having a lawful impediment) read the Morning Service on pain of being ſuſpended from the profits of ſuch Government, by the Viſitor for ſix Month, within which time if they ſubſcribe not and declare their conſent or read as aforeſaid, ſuch governments ſhall be void.

XLV. The Service preſcribed by the ſaid Book may be uſed in the Univerſities and Colleges of *Weſtminſter*, *Wincheſter* and *Eaton* in Latin.

XLVI. No perſon ſhall be a Lecturer, or Preach or Read any Sermon or Lecture, unleſs he be licenſed by the Archbiſhop, or Biſhop, or Warden of the Spiritualty if the See be void, and ſhall in their preſence read the Thirty nine Articles, and declare his aſſent thereto; and every perſon ſo licenſed, the firſt time he Preacheth ſhall before his Sermon read the Service appointed for that time, and declare his aſſent to the ſaid Book in the form above mentioned: and upon the firſt Lecture day of every Month

ſhall

ſhall read the Service appointed, and declare his aſſent *ut ſupra*: and in caſe of refuſal, be diſabled to Preach till he conform according to this Statute. But at Sermons and Lectures in Cathedral and Collegiate Churches and Chappels, it ſhall be ſufficient for the Lecturer to declare his aſſent to all things in the ſaid Book, *ut ſupra*.

XLVII. If any diſabled by this Act ſhall Preach, two Juſtices of the Peace, and the Mayor or other chief Magiſtrate of any City or Town Corporate, upon Certificate from the Ordinary ſhall commit the Offender for three Months.

XLVIII. When any Sermon or Lecture is to be Preached, other than publick Univerſity Sermons or Lectures, the Service for that time appointed ſhall be read by ſome Prieſt or Deacon before ſuch Sermon &c. and the Lecturer ſhall be preſent.

XLIX. The ſeveral Statutes now in force for the Uniformity of Prayer, &c. ſhall ſtand in force for the eſtabliſhing and confirming the ſaid Book, to this Act annexed, and for puniſhing offences contrary to the ſaid Laws with relation to the Book aforeſaid, and no other.

L. A Printed Copy of the ſaid Book ſhall be gotten at the coſts of the Pariſhioners, on pain of forfeiting 3 *l.* by the Month as long as they are unprovided, by every Pariſh, Chapelry, Cathedral Church, College and Hall.

LI. The Biſhops of *Hereford*, St. *Davids*, *Aſaph*, *Bangor*, and *Landaff*, and their Succeſſors, ſhall take order that the ſaid Book be Tranſlated into *Welſh*, and after peruſal by any three of them, be imprinted, ſo that every Church and Chapel of Eaſe where *Welſh* is commonly ſpoken, may have one, and that the Service be there uſed in the *Welſh* Tongue: (for which Books the Church-wardens ſhall pay and be allowed it on their Accounts, and any three of the ſaid Biſhops ſhall ſet the Price) and one other Book of Common-Prayer in *Engliſh* ſhall be had in every Church in *Wales*, to remain in ſome convenient place for reſort to and peruſal of the ſame.

LII. The Deans and Chapters of Cathedral and Collegiate Churches, ſhall at their proper coſts obtain under the Great Seal a Copy of this Act and the ſaid Book to be kept by them and their Succeſſors, and Copies of this Act and the ſaid Book ſhall be delivered into the reſpective Courts at *Weſtminſter*, and into the Tower of *London*, to be kept among the Records of the ſaid Courts and of the Tower: which being examined by ſuch as the King ſhall appoint under the Great Seal, and certified to be true Copies, and exemplified under the Great Seal, ſhall be as good Records as this Book it ſelf to this Act annexed.

LIII. This Act ſhall not be prejudicial to the King's Profeſſor of Law in *Oxford*, concerning the Prebend of *Shipton* united to his place by King *James*.

LIV. All ſubſcriptions to the Thirty nine Articles ſhall be applyed as touching the Thirty ſixth Article to the Book in this Act mentioned.

LV. Stat. 15 *Car.* 2. *Cap.* 6. All Deans, Canons Prebendaries, Maſters and Fellows of Colleges, Halls, &c. and all Eccleſiaſtical perſons, who at the time of the paſſing the Act of Uniformity being in *Ireland* or any parts beyond the Sea, did not return into this Kingdom before the Feaſt of St. *Bartholomew* 1662. or being here by impriſonment, ſickneſs, or otherwiſe did not ſubſcribe the Declaration and Acknowledgment, as is thereby enacted before the ſaid Feaſt, are hereby reſtored to their Benefices and Promotions, whereunto no others were inducted before the firſt of *Auguſt* 1663. Provided, that before *Chriſtmaſs* next, if they be in *England*, elſe within forty days after their return they ſubſcribe the ſaid Declaration and Acknowledgment, and procure a Certificate under the Hand and Seal of the Ordinary, and publickly read the ſame together with the Declaration aforeſaid upon ſome Lords-day within three Months after, in his Pariſh-Church.

LVI. Subſcriptions made and to be made before any Vicar-General or Chancellor, to any Ordinary, or Commiſſary to any Biſhop ſhall be good in Law, as if made before the Archbiſhop of the Province or Biſhop of the Dioceſs.

LVII. The Penalties by 13 & 14 *Car.* 2. *Cap.* 4. to be inflicted on perſons diſabled by that Act to Preach, ſhall be inflicted on every perſon ſo offending, that is prohibited by the ſaid Act to Preach.

Severn.

I. Stat. 34 & 35 *H.* 8. 9. A Penalty for caſting any Ballaſt or Robul in *King-Rode*, in any part of the Haven, in *Briſtol*.

II. None ſhall load any Corn in any Veſſel by the Water of *Severn* to be tranſported beyond-Sea, before he be bound to the Cuſtomer of *Briſtol* to bring it firſt to *Briſtol*, to be there viewed by the Mayor there for the time being, in pain to forfeit both the Grain and Veſſel.

III. The Penalty where one bringeth more Corn to *Briſtol* to be meaſured, and thence to be tranſported, than is contained in his Cocket or Licence, which is to be delivered unto him by the ſaid Mayor, when he takes Bond of him, as aforeſaid.

IV. The Penalty for denying to meaſure the Corn at *Briſtol* is Five pounds for every time, to be divided betwixt the King and the Proſecutor. *See the Statute at large.*

V. Stat. 30 *Car.* 2. *Cap.* 9. If any perſon after the firſt of *Auguſt* next ſhall in the River of *Severn* Fiſh with, or make uſe of any Engine or Device, whereby any Salmon, Trout or Barbel under the length appointed by the Statute of 1 *Eliz.* ſhall be taken or killed; or ſhall Fiſh with any Net for Salmon, Salmon-mart, Salmon-peal,

Pike

Pike, Carp, Trout, Barbel, Chub or Grayling, the Meſh whereof ſhall be under two Inches and an half ſquare from knot to knot, or above twenty yards in length and two yards in breadth, or above fifty yards in length and ſix yards in breadth in the wing of the Net, in the ſaid River from *Ripple-Lockſtake* to *Glouceſter* Bridge, or above ſixty yards in length below *Glouceſter* Bridge, and ſix yards in breadth in the wing of the Net, or ſhall Fiſh with more than one of thoſe Nets at once, or ſhall uſe any device for taking the Fry of Eels, he ſhall forfeit 5 *l.* for every offence, and the Fiſh ſo taken and the Inſtruments wherewith, &c. and 5 *l.* for every time he or they ſhall water any Hemp or Flax in the ſaid River.

VI. If any between the firſt of *March* and the laſt of *May* ſhall do any Act whereby the Spawn of Fiſh ſhall be deſtroyed, they ſhall forfeit 40 *s.* for every offence, and the Inſtruments employed for the ſaid purpoſe.

VII. The Juſtices of Peace of the Counties of *Worceſter*, *Salop* and *Glouceſter*, ſhall be Conſervators of the ſaid River in their reſpective Counties, and make one or more under-Conſervators in their reſpective limits; to whom or to any Conſtable, Tithing-man or Headburrough, upon their own knowledge or information of any ſuch offence, they ſhall iſſue Warrants under the Hands and Seals of any two of them, to ſearch in all ſuſpected houſes, &c. for ſuch unlawful Inſtruments and ſeize them, and bring them to the Quarter-Seſſions to be deſtroyed.

VIII. None ſhall be puniſhed for the ſaid offences, but by Information or Indictment before the Juſtices of Aſſize and *Niſi prius*, *Oyer* and *Terminer*, and Gaol-delivery or the General Seſſions of the Peace: the one Moiety of the Forfeitures ſhall be to the uſe of the Poor of the Pariſh, where the offence ſhall be committed, the other to the Proſecutor, to be levied by *Fieri facias*, or *Cap. ad ſatisfaciendum.*

IX. The Juriſdiction of the Lords of Leets or Franchiſes ſaved, and all Rights, Titles, &c. of the King and others in the ſaid River.

☞ Sewers.

I. **Stat.** 6 *H.* 6. 5. During ten years, ſeveral Commiſſions of Sewers ſhall be made to divers perſons by the Chancellor of *England*, to be ſent into all parts of the Realm where need ſhall be, according to the form in the ſaid Statute expreſſed: *For which ſee the Statute at large, being here omitted, becauſe a later Commiſſion was afterwards ordained by the Statute of* 23 *H.* 8. 5. *which ſee after in the proper place.*

II. **Stat.** 8 *H.* 6. 3. Commiſſioners of Sewers ſhall have power to do, ordain and execute all ſuch Statutes, Ordinances, and other things, as ſhall be made according to the effect and purport of the Commiſſion of Sewers ordained by the Statute of 6 *H.* 6. 5.

III. Stat. 18 *H.* 6. 10. Commiſſions of Sewers ſhall be awarded, where need ſhall require, during ten years.

IV. Stat. 23 *H.* 6. 9. The Chancellor of *England* may grant Commiſſions of Sewers during 15 years.

V. Stat. 12 *E.* 4. 6. The Chancellor of *England* may grant Commiſſions of Sewers for fifteen years, where need ſhall require.

VI. Stat. 4 *H.* 7. 1. Commiſſions of Sewers ſhall be granted during 25 years.

VII. Stat. 6 *H.* 8. 10. Commiſſions of Sewers ſhall be granted during ten years, according to the Statute of 6 *H.* 6. 5. and 4 *H.* 7. 1.

VIII. Stat. 23 *H.* 8. 5. Commiſſions of Sewers ſhall be directed into all parts of the Realm from time to time, where and when need ſhall require, according to the manner, form and tenor hereafter following, to ſuch ſubſtantial and indifferent perſons as ſhall be named by the Lord Chancellor and Lord Treaſurer of *England*, and the two Chief Juſtices, or any three of them, whereof the Lord Chancellor is to be one.

IX. *Henry* the Eighth, &c. Know ye, that foraſmuch as the Walls, Ditches, Banks, Gutters, Sewers, Gates, Caloies, Bridges, Streams, and other Defences by the Coaſts of the Sea, and Marſh ground, being and lying within the limits of *A. B.* and *C.* in the County or Counties of
or in the borders or confines of the ſame, by rage of the Sea flowing and reflowing, and by means of the Trenches of freſh water deſcending, and having courſe by divers ways to the Sea, be ſo dirupt, lacerate and broken; and alſo the common Paſſages of Ships, Ballengers and Boats, in the Rivers, Streams and other Floods within the limits of *A. B.* and *C.* in the County or Counties of
or in the borders or confines of the ſame, by means of ſetting up, erecting and making Streams, Mills, Bridges, Ponds, Fiſh-garths, Mill-dams, Locks, Hebbing wears, Hecks, Flood gates, or other lets, impediments or annoyances, be letted or interrupted; ſo that great and ineſtimable damage for default of reparation of the ſaid Walls, Ditches, Banks, Fences, Sewers, Gates, Gutters, Calcies, Bridges and Streams, and alſo by means of ſetting up and erecting, making and enlarging of the ſaid Fiſh-garths, Mill-dams, Locks, Hebbing wears, Hecks, Flood-gates, and other annoyances, in times paſt hath happened, and yet is to be feared that far greater hurt, loſs and damage is like to enſue, unleſs that ſpeedy remedy be provided in that behalf.

X. We therefore, for that, by reaſon of our Dignity and Prerogative Royal, we be bound to provide for the ſafety and preſervation of our Realm of *England*, willing that ſpeedy remedy be had in the premiſſes, have aſſigned you, and ſix of you, of the
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which we will that *A. B.* and *C.* ſhall be three, to be our Juſtices to ſurvey the ſaid Walls, Streams, Ditches, Banks, Gutters, Sewers, Gates, Calcies, Bridges, Trenches, Mills, Mill dams, Flood-gates, Ponds, Locks, Hebbing-wears, and other impediments, lets and annoyances aforeſaid, and the ſame to cauſe to be made, corrected, repaired, amended, put down or reformed, as cauſe ſhall require, after your wiſdoms and diſcretions. And therein as well to ordain and do after the tenor, form and effect of all and ſingular the Statutes and Ordinances made before the firſt day of *March*, and in the three and twentieth year of our Reign, touching the premiſſes, or any of them; as alſo to enquire by the Oaths of the honeſt and lawful men of the ſaid Shire or Shires, place or places, where ſuch defaults or annoyances be, as well within Liberties as without, by whom the truth may the rather be known, through whoſe default the ſaid hurts and damages have hapned, and who hath or holdeth any Lands or Tenements, or common of Paſture, or profit of Fiſhing, or hath or may have any hurt, loſs or diſadvantage by any manner of means in the ſaid places, as well near to the ſaid dangers, lets and impediments, as inhabiting or dwelling thereabouts, by the ſaid Walls, Ditches, Banks, Gutters, Gates, Sewers, Trenches, and other the ſaid impediments and annoyances. And all thoſe perſons, and every of them, to tax, aſſeſs, charge, diſtrain and puniſh, as well within the Metes, Limits and Bounds of old time accuſtomed, or otherwiſe, as elſewhere within our Realm of *England*, after the quantity of their Lands, Tenements, and Rents, by number of Acres and Perches, after the rate of every perſons Portion, tenure or profit, or after the quantity of their common Paſture, or profit of Fiſhing, or other Commodities there, by ſuch ways and means, and in ſuch manner and form, as to you, or ſix of you, whereof the ſaid *A. B.* and *C.* to be three, ſhall ſeem moſt convenient to be ordained and done, for redreſs and reformation to be had in the premiſſes. And alſo to reform, repair and amend the ſaid Walls, Ditches, Banks, Gutters, Sewers, Gates, Calcies, Bridges, Streams, and other the premiſſes, in all places needful; and the ſame, as often and where need ſhall be, to make new and to cleanſe and purge the Trenches, Sewers and Ditches in all places neceſſary; and farther to reform, amend, proſtrate and overthrow all ſuch Mills, Streams, Ponds, Locks, Fiſh-garths, Hebbing-wears, and other impediments and annoyances aforeſaid, as ſhall be found by inquiſition, or by your ſurveying and diſcretions, to be exceſſively hurtful. And alſo to depute and aſſign diligent, faithful and true Keepers, Bayliffs, Surveyors, Collectors, Expenditors, and other Miniſters and Officers, for the ſafety, conſervation, reparation, reformation and making of the premiſſes, and every of them; and to hear the accompt of the Collectors and other Miniſters, of and for the receipt and laying out of the Money that ſhall be levied and paid

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in and about the making, repairing, reforming and amending of the ſaid Walls, Ditches, Banks, Gutters, Gates, Sewers, Calcies, Bridges, Streams, Trenches, Mills, Ponds, Locks, Fiſh-Garths, Flood-gates, and other impediments and annoyances aforeſaid. And to diſtrain for the Arrearages of every ſuch Collection, Tax and Aſſeſſment, as often as ſhall be expedient; or otherwiſe to puniſh the debtors and detainers of the ſame, by Fines, Amerciaments, Pains, or other like means, after your good diſcretions. And alſo to Arreſt and take as many Carts, Horſes, Oxen, Beaſts, and other Inſtruments neceſſary, and as many Work-men and Labourers, as for the ſaid Works and Reparations ſhall ſuffice, paying for the ſame competent Wages, Salary and Stipend in that behalf: and alſo to take ſuch and as many Trees, Woods, Under-woods, Timber, and other neceſſaries, as for the ſame Works and Reparations ſhall be ſufficient, at a reaſonable price by you, or ſix of you, of which we will that *A. B.* and *C.* ſhall be three, to be aſſeſſed or limited, as well within the limits and bounds aforeſaid, as in any other place within the ſaid County or Counties near unto the ſaid places. And to make and ordain Statutes, Ordinances and Proviſions from time to time, as the caſe ſhall require, for the ſafeguard, conſervation, redreſs, correction and reformation of the premiſſes, and of every of them, and the parts lying to the ſame, neceſſary and behoveful, after the Laws and Cuſtoms of *Rumney-Marſh* in the County of *Kent*, or otherwiſe, by any ways and means after your own wiſdoms and diſcretions. And to hear and determine all and ſingular the Premiſſes, as well at our Suit, as at the Suit of any other whatſoever complaining before you, or ſix of you, whereof *A. B.* and *C.* ſhall be three, after the Laws and Cuſtoms aforeſaid, or otherwiſe, by any other ways and means after your diſcretions. And alſo to make and direct all Writs, Precepts, Warrants, and other Commandments, by virtue of theſe preſents, to all Sheriffs, Bailiffs, and other Miniſters, Officers and other perſons, as well within Liberties as without, before you or ſix of you, whereof the ſaid *A. B.* and *C.* to be three, at certain days, terms, and places, to be returned and recieved. And farther, to continue the proceſs of the ſame, and finally to do all and every thing and things as ſhall be requiſite for the due execution of the Premiſſes. By all ways and means, after your diſcretions. And therefore we command you, That at certain days and places, when and where you, or ſix of you, whereof the ſaid *A.B.* and *C.* to be three, ſhall think expedient, ye do ſurvey the ſaid Walls, Fences, Ditches, Banks, Gutters, Gates, Sewers, Calcies, Ponds, Bridges, Rivers, Streams, Water-courſes, Mills, Locks, Trenches, Fiſh-garths, Flood-gates, and other Lets, Impediments and Annoyances aforeſaid, and accompliſh, fulfil, hear, and determine all and ſingular the premiſſes, in due force, and to the effect aforeſaid, after your good diſcretions. And all ſuch as ye ſhall find negligent, gain-ſaying or rebelling in the ſaid works, reparations or reformations of the premiſſes, or negligent in the due execution

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of this Commiſſion, that ye do compel them by Diſtreſs, Fines and Amerciaments, or by other puniſhment, ways or means, which to you or ſix of you, whereof the ſaid *A. B.* and *C.* ſhall be three, ſhall ſeem moſt expedient for the ſpeedy remedy, redreſs and reformation of the premiſſes, and due execution of the ſame. And all ſuch things as by you ſhall be made and ordained in this behalf, as well within Liberties as without, that ye do cauſe the ſame firmly to be obſerved, doing therein as to Juſtice appertaineth, after the Laws and Statutes of this Realm, and according to your wiſdoms and diſcretions.

XI. Save always to us ſuch Fines and Amerciaments as to us thereof ſhall belong. And we alſo command our Sheriff or Sheriffs of our ſaid County or Counties of

that they ſhall cauſe to come before you, or ſix of you, of which *A B.* and *C.* ſhall be three, at ſuch days and places as ye ſhall appoint to them, ſuch and as many honeſt men of his or their Bailywick, as well within the Liberties as without, by whom truth may beſt be known, to enquire of the premiſſes: commanding alſo all other Miniſters and Officers, as well within Liberties as without, that they and every of them ſhall be attendant unto you in and about the due execution of this our Commiſſion. In witneſs whereof we have cauſed theſe our Letters to be made Patents. Witneſs our ſelf at *Weſtminſter*, the day of in the year of our Reign.

XII. Here, every perſon named a Commiſſioner, as ſoon as he ſhall have notice thereof, ſhall effectually put his diligence and attendance thereunto: Howbeit, he ſhall not put the Commiſſion in execution before ſuch time as he ſhall (before the Lord Chancellor, or ſome others whom he by a *Dedimus* ſhall thereunto aſſign, or before the Juſtices of Peace in Seſſions of the County, to which the Commiſſion is directed) take the Oath following:

XIII. *Ye ſhall ſwear, That ye to your cunning, wit and power, ſhall truly and indifferently execute the authority to you given by this Commiſſion of Sewers, without any favour, affection, corruption, dread, or malice, to be born to any manner of perſon or perſons: and as the caſe ſhall require, ye ſhall conſent and endeavour your ſelf for your part, to the beſt of your knowledge and power, to the making of ſuch wholſom, juſt, equal and indifferent Laws and Ordinances, as ſhall be made and deviſed by the moſt diſcreet and indifferent number of your Fellows, being in Commiſſion with you, for the redreſs, reformation and amendment of all and every ſuch things as are contained and ſpecified in the ſaid Commiſſion; and the ſame Laws and Ordinances, to your cunning, wit and power, cauſe to be put in execution, without favour, meed, dread, malice or affection, as God you help and all Saints.*

XIV. All Statutes of Sewers heretofore made or confirmed.

XV. The

XV. The Commiſſioners have power to make and ordain Laws, Ordinances and Decrees, and all and every thing mentioned in their Commiſſion, according to the true meaning thereof, and the ſame to reform, repeal, amend, and make new, as need ſhall require.

XVI. If any perſon aſſeſſed to any lot or charge for any Lands, Tenements or Hereditaments, within the limits of any Commiſſion do not pay the ſame, according to the Ordinance of the Commiſſioners, by reaſon whereof the ſaid Commiſſioners decree the ſame Lands, Tenements or Hereditaments, from the Owner or Owners thereof, and their Heirs, to any other for years, life or in fee, for the payment of the ſaid lot or charge; every ſuch Decree and Ordinance by them made, ingroſſed in Parchment, and certified into the Chancery, under their Seals, (with the King's aſſent thereunto alſo had,) ſhall bind all ſuch perſon or perſons having any Eſtate in the premiſſes, in uſe, poſſeſſion, reverſion, or remainder, their Heirs and Feoffees, and ſhall not be otherwiſe reformed than in Parliament.

XVII. The King's Lands, Tenements and Hereditaments, ſhall be as liable to the Laws, Ordinances and Decrees of the Commiſſioners or any ſix of them, as thoſe of any other.

XVIII. If a Commiſſioner not ſworn, as aforeſaid, or being ſworn, and not having Lands, Tenements or Hereditaments to his own uſe, in fee or life, worth 40 Marks *per Annum*, beſides repriſes, (except reſiant and free of a Corporation, and having moveables worth 100 *l.* or elſe an utter Barreſter) do attempt to execute the ſaid Commiſſion, he ſhall forfeit for every time ſo doing 40 *l.* to be divided betwixt the King and the Proſecutor.

XIX. Avowry and Juſtification of a Diſtreſs taken, or of any other Act done, by reaſon of the ſaid Commiſſion, ſhall be made without any expreſs rehearſal of any other matter contained in this Act, or any Commiſſion, Laws or Ordinances thereupon made; whereupon the Plaintiff ſhall be admitted to reply, that the Defendant did take the ſaid Diſtreſs, or did any other Act or Treſpaſs of his own wrong, and thereupon the Iſſue ſhall be tryed by the Verdict of Twelve men, and not otherwiſe; and upon the Tryal, the whole matter on both parts ſhall be given in evidence. And here, if the Verdict paſs for the Defendant, or the Plaintiff be Nonſuit, the Defendant ſhall recover his treble damages and coſts, to be aſſeſſed by the ſame Jury, or a Writ to enquire of damages, as the cauſe ſhall require.

XX. The Commiſſioners ſhall have for their pains 4 *s.* a day, and the Clerks 2 *s.* a day, out of the Taxes aforeſaid, &c. Alſo the Commiſſioners, or any ſix of them, have power (at their diſcretions) to allow out of the ſaid Taxes more to the Clerk for Writing-Books and Proceſs, and to Collectors and others that take pains in the due execution of the ſame Commiſſion.

XXI. When

XXI. When any ſuch Commiſſion is directed for the reformation of any thing within the Dutchy of *Lancaſter*, the Commiſſioners ſhall be named by the Lord Chancellor, Lord Treaſurer, the two Chief Juſtices, and the Dutchy, or any three of them, whereof the Lord Chancellor and Chancellor of the Dutchy are to be two: And in this caſe two Commiſſions ſhall iſſue forth, *viz.* one under the Great Seal, and the other under the Seal of the Dutchy.

XXII. Thee Fees for every ſuch Commiſſion ſhall be 2 *s.* 6 *d.* to the King for the Seal, and 5 *s.* to the Clerk for writing and enrolling it, and no more.

XXIII. A Commiſſion of Sewers ſhall continue in force but three years from the *Teſte*, and the King (by a *Superſedeas* out of the Chancery,) may diſcharge any Commiſſion or Commiſſioners at his pleaſure.

XXIV. The Laws, Decrees or Ordinances of the Commiſſioners ſhall continue no longer in force than their Commiſſion; unleſs they be engroſſed in Parchment, and certified under their Seals into the Chancery, and the King's aſſent be obtained thereunto.

XXV. When any ſuch Commiſſion is directed into *Wales*, and any other County Palatine, two Commiſſions ſhall iſſue out, *viz.* one under the Great Seal, and the other under the Seal of ſuch County Palatine, in like manner as is above ordained for the Dutchy of *Lancaſter*.

XXVI. The King's aſſent aforeſaid ſhall be certified into the Chancey under his Privy Seal without fee, only the Clerk ſhall have 2 *s.* for writing the Certificate, and not above.

XXVII. The Chancellors of the Principality of *Wales*, or any other County Palatine, having the Cuſtody of the Seal there, upon requeſt made, and upon ſight of Commiſſion under the Great Seal, may thereupon make out another under the Seal of ſuch County Palatine, according to the Tenor of the Kings Commiſſion, and alſo to the Commiſſioners therein named; except within the Dutchy of *Lancaſter*, for which the proviſion above-ſaid ſhall be obſerved.

XXVIII **Stat.** 25 *H.* 8. 10. None ſhall be compelled to be ſworn or to ſit or Travel in the execution of any Commiſſion of Sewers, unleſs he be dwelling within the County whereof he is aſſigned a Commiſſioner.

XXIX. If any Commiſſioner, being required by any having authority by the Kings Writ, or otherwiſe to give him the Oath provided by 23 *H.* 8. 5. ſhall refuſe to take it, upon ſuch refuſal or contempt done in Chancery, or returned thither with the ſaid Writ, he ſhall loſe loſe five Marks for every ſuch contempt, unleſs he alledge ſufficient cauſe in Chancery the ſame Term wherein ſuch return is made, for his excuſe and diſcharge in that behalf.

XXX. **Stat.**

XXX. Stat. 3 & 4 E. 6. 8. The Statute of 23 H. 8. 5. is made perpetual, in ſuch manner as it may ſtand with the ſequel and additions hereafter mentioned.

XXXI. All ſums of Mony rated by Commiſſion of Sewers upon any of the Kings Land ſhall be leviable by diſtreſs or otherwiſe, as may be done in the lands of other perſons; and Acquittances under the hand of ſuch Collector or Receiver as ſhall be appointed by the Commiſſioners, or any ſix of them, ſhall be a ſufficient diſcharge as well to the Tenants of the King's Lands, as alſo to the Receiver, Auditor or other Officer, for the allowance of the ſaid rates to ſuch Tenants.

XXXII. Like Fees ſhall be paid for Commiſſions and *Dedimus poteſtatem* under the Dutchy Seal, as are paid for them obtained under the Great Seal.

XXXIII. A Commiſſion of Sewers ſhall endure five years, unleſs in the mean time it be ſuperſeded.

XXXIV. Stat. 1 *M. Seſſ.* 3. *cap.* 11. The Statute of 23 *H.* 5 and all Commiſſions of Sewers, ſhall extend and give authority, that the Commiſſioners therein named for the County of *Glamorgan*, or ſix of them, (whereof three to be of the *Quorum*) ſhall by this Act, and the ſaid Statute of *H.* 8. and Commiſſion, have power to make Laws, Ordinances and Decrees within the ſaid County, for the redreſs and ſaving of grounds there from hurt and deſtruction, by reaſon of Sand riſing out of the Sea, and driven to Land by Storms and Winds, as they may do by the ſaid former Act and Commiſſion, for avoiding the outragious courſe and rage of the Sea and other Waters.

XXXV. Stat. 13 *El.* 9. All Commiſſions of Sewers ſhall continue in force for ten years after the date thereof, unleſs they be repealed by a new Commiſſion, or a *Superſedeas*.

XXXVI. All Laws, Ordinances and Conſtitutions, duly made according to the Statute of 23 *H.* 8. 5. and written in parchment indented, under the Seals of the Commiſſioners, or ſix of them, (whereof one part ſhall remain with the Clerk of the Commiſſion, and the other in ſuch place as the Commiſſioners, or ſix of them ſhall appoint,) ſhall without any Certificate to be made into the *Chancery*, and without the King's aſſent, continue in force, notwithſtanding any determination of ſuch Commiſſion by *Superſedeas*, until the ſame Laws, Ordinances and Conſtitutions ſhall be altered, repealed or made void by Commiſſioners afterwards aſſigned.

XXXVII. After the end of ten years next after the *Teſte* of a Commiſſion, all Laws, Ordinances and Conſtitutions made by virtue thereof, and written in Parchment, indented and ſealed as aforeſaid, ſhall, notwithſtanding ſuch determination of the Commiſſion, continue in force one whole year after the ſaid ten years; during which time, the Juſtices of Peace of the County or Counties whither it is directed, or ſix of them, (two *Quorum*) have power

to

to execute ſuch Commiſſion and Law, &c. as fully as the Commiſſioners themſelves, unleſs in the *interim* a new Commiſſion be ſent forth.

XXXVIII. No Farmer for years of any Lands, &c. lying within the limits of the Commiſſion (which ſhall be chargeable with any Laws, &c. made by virtue of any ſuch Commiſſion wherein he ſhall be a Commiſſioner) not having any Eſtate of Free-hold in *England* worth 40 *l. per Annum*, ſhall have any power to ſit or intermeddle with any ſuch Commiſſion during the time he ſhall be Farmer, and not have Free-hold as aforeſaid, but every ſuch Commiſſion as to him only ſhall be adjudged void.

XXXIX. There ſhall be no Certificate or return of the Commiſſion or of any of their Laws, Ordinances, or doings by virtue thereof.

XL. The Clerk of the Commiſſion ſhall yearly eſtreat all Iſſues, Fines, Penalties, Forfeitures and Amerciaments, due and anſwerable to the Queen, her Heirs and Succeſſors, and ſhall yearly deliver them into the *Exchequer*, (as Juſtices of Peace ought to do by virtue of their Commiſſion) in pain of 5 *l.*

XLI. Provided, that the aboveſaid Farmer may act in the Commiſſion as concerning all other Lands, ſave only the Lands whereof he is ſo Farmer, as aforeſaid.

XLII. **Stat.** 3 *Jac.* 1. 14. All Walls, Ditches, Banks, Gutters, Sewers, Gates, Cauſeys, Bridges, Streams, and Water-courſes, within two Miles of *London*, having their fall into *Thames*, ſhall be ſubject to the Commiſſion of Sewers, and to all Statutes made for Sewers, and to all penalties in the ſaid Statutes contained.

☞ Sheep.

* I. **Stat.** 3 *H.* 6. 2. None ſhall tranſport Sheep beyond Sea without the King's Licence, in pain to forfeit them, or the value thereof.

* II. **Stat.** 25 *H.* 8. 13. None ſhall keep in his own poſſeſſion at any one time above two thouſand Sheep, in pain to forfeit for every Sheep kept above that number 3 *s.* 4 *d.* to be proſecuted for a ſubject within one year, and for the King within three. But here, Lambs ſhall not be accounted as Sheep till Midſummer twelve-month after their fall.

III. If any happen to have more Sheep than two thouſand by reaſon of any Executorſhip or Marriage, they ſhall not be impeached by this Law, ſo that within one year after they put off ſo many, that at the end of that year they may not have above two thouſand: Neither ſhall a Child during his Nonage (nor any perſon for him) be endamaged by this Act, which Child ſhall have by Legacy above two thouſand Sheep given him.

IV. Juſtices

IV. Juſtices of Peace have power to hear and determine the offences committed againſt this Act, but ſhall not take a leſs fine than is limited by the ſame.

V. Every Temporal Subject may keep upon his own Demeſne-lands as many Sheep as he will, or for the maintenance of his Houſe, above the number of two thouſand, notwithſtanding this Act.

VI. How Foulds, Courſes and Quillets of Lands in *Norfolk* and *Suffolk* ſhall be uſed, and to which Quillets this Statute ſhall extend. *See the Statute at large.*

VII. A thouſand of Sheep (meant by this Statute) ſhall be accompted after the rate of ſix ſcore to the Hundred.

VIII. None ſhall take to Farm above two Farms together, and they are to be ſituate in the ſame Pariſh where he dwells; in pain to forfeit 3 *s.* 4 *d.* for every week he takes the profits of them.

IX. Spiritual perſons ſhall keep Sheep as they have uſed to do, notwithſtanding this Act.

☞ Sheriff.

* 1 **Stat.** *De finibus levatis, Cap.* 2. 27 *E.* 1. Sheriffs ſhall not be charged with any Iſſues to be levied, nor ſhall levy any, before they paſs out of the Exchequer, being there delivered by the Eſtreats of the Juſtices, in which Eſtreats every Head ſhall be charged for Iſſues forfeited, like as of Amerciaments.

II. If the Sheriff will charge himſelf with the Iſſues of any Recogniſor, Pledge or Mainpernor, who is not able to pay them, the Sheriff ſhall be charged therewith in the Exchequer.

III. Sheriffs ſhall make Tallies of all Mony received by them or their Officers, in pain of great Forfeitures; and ſhall not return any Mainpernors, Jurors or others, except (according to the tenor of the King's Writ) they be lawfully impanelled; neither ſhall they return any Freemen as pledges without their conſent.

IV. A Baron and a Clerk of the Exchequer ſhall be ſent once every year through every County of *England*, to enquire the names of ſuch as have paid the Green wax that year, and ſhall alſo view all ſuch Tallies, and enrol them, as ſhall hear and determine complaints made againſt Sheriffs, and their Clerks and Bailiffs, that ſhall do contrary to the premiſſes, and the offenders ſhall be grievouſly puniſhed.

V. **Artic. ſuper Chart.** 8. 28 *Eliz.* 1. The People of every County ſhall have election of their Sheriff, where the Shrievalty is not of Fee.

VI. **Artic. ſuper Chart.** 13. 28 *E.* 1. The Commons of every County ſhall chuſe ſuch Sheriffs as ſhall not charge them, nor put any Officer into Authority for rewards or bribes, nor lodge too

too oft in one place, neither yet with Poor perſons, or men of Religion.

VII. **Stat.** *of Sheriffs, 9 E.* 2. Sheriffs ſhall be aſſigned by the Chancellor, Treaſurer, Barons of the Exchequer, and Juſtices; and in the abſence of the Chancellor, by the Treaſurer, Barons and Juſtices.

VIII. None ſhall be Sheriff, except he have ſufficient Land in the County where he is Sheriff, to anſwer the King and his People.

IX. No Steward or Bailiff to a great Lord ſhall be Sheriff, except he be out of ſervice, ſo that he may attend to execute his Office for the King and his People.

X. Hundreds alſo (both the Kings and others) ſhall be kept by convenient and able perſons, having ſufficient Lands within the ſame Hundred, or in the County where the Hundred is; and they ſhall be leaſed to ſuch perſons at reaſonable Rents, to the end they may not extort upon the People. But no Sheriff or Hundreder ſhall leaſe their Office to any other in Farm, or otherwiſe.

XI. Execution of Writs that come to the Sheriffs ſhall be done by Hundreders, ſworn and known in full County, and not by any other; unleſs ſuch Hundreders be in default, and then execution ſhall be done by others, meet and ſworn, ſo as the People may know to whom to ſue ſuch Executions: ſaving always return of Writs to them that ought to have them.

XII. **Stat.** *De attinctis*, 13 *E.* 2. *Vide Raſtal, Sheriffs* 5. When Sheriffs and other Miniſters, being impleaded in the Exchequer, (for receiving the King's Debts by Tallies or Acquittances, and not acquitting the parties thereof in that Court,) are ſo far gone in Plea, that the great Diſtreſs is returned againſt them, and they come in not then to anſwer; then ſhall iſſue out another Diſtreſs, retornable at a certain day, by which Writ Proclamation ſhall be made in full County, that the Defendant appear at the day, and acquit the Debt for which he made ſuch Tally or Acquittance: at which day if he come not, and the Writ be returned, and the Proclamation certified, he ſhall be holden as convict, and the Debt ſhall be taken of him as of Debt recovered in the King's Court, and Damages ſhall alſo be awarded to the Plaintiff at the diſcretion of the Barons. Howbeit, none ſhall be hindred by this Statute to complain of Sheriffs and other Miniſters when they ſhall be found in the Exchequer, to make them anſwer there, as hath been formerly uſed.

XIII. **Stat.** 2 *E.* 3. 4. The Statute of 9 *E.* 2. is confirmed, and Sheriffs and Bailiffs of Fee ſhall cauſe their Counties and Bailiwicks to be kept by ſuch as have Lands therein.

XIV. **Stat.** 2 *E.* 3. 12. From henceforth Hundreds and Wapentakes ſhall be again adjoyned to the Counties, and ſhall never hereafter be given or ſevered therefrom.

XV. Stat. 4 E. 3. 9. Sheriffs, Eſcheators, and Bayliffs of Hundreds and Franchiſes, ſhall have ſufficient in the places where they are Miniſters, whereof to anſwer the King and his People, in any caſe men complain againſt them.

XVI. Stat. 4 E. 3. 10. Sheriffs and Gaolers ſhall receive and ſafely keep ſuch Thieves and Felons as ſhall be delivered them by Conſtables or Townſhips, without taking any thing for ſuch receipt; and the Juſtices aſſigned to deliver the Gaol ſhall have power to hear ſuch complaints, and to puniſh ſuch Sheriffs and Gaolers as they ſhall find guilty herein.

XVII. Stat. 4 E. 3. 15. Sheriffs ſhall let their Hundreds and Wapentakes for the old Farm, and not above: and the Juſtices aſſigned ſhall have power to enquire of Sheriffs, and puniſh them, if they ſhall find them guilty herein.

XVIII. Stat. 5 E. 3. 4. None ſhall be Sheriff, Under-ſheriff, Eſcheator, Bailiff of Franchiſes, Wapentakes, Hundreds or Tithings, unleſs he have ſufficient Lands in the County, whereof to anſwer the King and his People, if any will complain.

XIX. Stat. 14 E. 3. 7. No Sheriff ſhall continue in his Office above one year, and then another convenient man ſhall be choſen in his place (having Lands ſufficient in his Bailiwick) by the Chancellor, Treaſurer and Chief Baron, taking to them the Chief Juſtices, if they be preſent: And this ſhall be done yearly at the Exchequer the next day after *All-Souls*.

XX. Stat. 14 E. 3. 9. All Wapentakes and Hundreds which be ſevered from the Counties ſhall be rejoyned to them again: The Sheriffs alſo ſhall hold the ſame in their own hands, and put in ſuch Bailiffs and Hundreders (having Lands in the Bailiwicks and Hundreds) for whom they will anſwer.

XXI. If Sheriffs let any Hundreds, Bailiwicks or Wapentakes to Farm, they ſhall let them at the ancient Farms, without any increaſe upon them: And the King and his People ſhall be hereafter ſerved with ſufficient Bailiffs, Hundreders, and their Under-bailiffs, without employing Out-riders, who have heretofore in divers Counties notoriouſly grieved the People: Neither ſhall any Bailiff-errant be in any County, but only where they have uſed to be in the time of the King's Grandfather, and but one Bailiff-errant in one County.

XXII. All ſuch as have Bailiwicks or Hundreds in Fee, ſhall put in ſuch Bailiffs for whom they will anſwer; and if they let them to farm, they ſhall take but the old Farm without any increaſe.

XXIII. The Juſtices of both the Benches, the Barons of the Exchequer, and Juſtices aſſigned, ſhall enquire after and puniſh the Offenders of this Ordinance at their diſcretion, according to Law and Reaſon.

XXIV. If

XXIV. If the Sheriffs or the Farmers be found in default, and be thereof attainted, the Wapentakes and Hundreds ſhall be ſeiſed into the King's hands, and by the Juſtices let to others: Such Officers likewiſe ſhall be impriſoned, and there remain, until they make fine and ranſom to the King according to the quantity of the Treſpaſs; and yet they ſhall anſwer the King the whole Farm.

XXV. Lords having Hundreds or Wapentakes in Fee, ſhall place therein ſufficient Bailiffs, to anſwer the King and his People: and if their Bailiffs offend againſt this Ordinance, ſuch Bailiffs ſhall be called to anſwer; whereof if they be attainted, they ſhall have ſuch puniſhment as the Law requireth, and ſhall be alſo put out of their places, and others put in their places by the ſaid Law.

XXVI. Stat. 28 *E.* 3. 7. No Sheriff ſhall continue in his Office above one year.

XXVII. Stat. 28 *E.* 3. 9. No Writ ſhall be hereafter directed to the Sheriff, to charge a Jury to indict any,

XXVIII. Stat. 42 *E.* 3. 9. *pars inde.* No Sheriff, or Under-ſheriff, or Sheriffs Clerk, ſhall continue in their Office above one year.

XXIX. Stat. 1 *R.* 2. 11. None, having been Sheriff for one whole year, ſhall be Sheriff again within three years then next enſuing, if there be other ſufficient in the County, to anſwer the King and his People.

☞ XXX. Stat. 1 *H.* 4. 11. Becauſe Sheriffs did much oppreſs the People, for that they were charged with the ancient Farms of the Counties, whereof a great part had been granted to Lords and others; hereafter the Sheriffs, upon their accounts in the Exchequer, ſhall have allowance (by their Oaths) of the iſſues of their Counties: And if from henceforth any Sheriff extort upon the People, and be thereof attainted, he ſhall be puniſhed at the King's Will.

XXXI. Stat. 4 *H.* 4. 5. Every Sheriff of *England* (*ſerra demurrant*) ſhall abide in proper perſon within his Bailiwick for the time that he ſhall be ſuch Officer; he ſhall not let his Bailiwick to farm; and he ſhall be ſworn to do the ſame in ſpecial, amongſt other Articles compriſed in his Oath.

XXXII. Stat. 1 *H.* 5. 4. They who have been Sheriffs Bailiffs for one year, ſhall not bear that Office by three years next following, except in Sheriffwicks inheritable.

XXXIII. No Under-ſheriff, Sheriffs Clerk, Receiver, or Sheriffs Bailiff, ſhall be Attorney in any of the King's Courts, ſo long as he bears ſuch Office under the Sheriff.

XXXIV. Stat. 4 *H.* 5. 2. Sheriffs of *England* ſhall have allowance upon their accompts (by their Oaths) of things caſual, as of Eſtreats that be not in farm or demand: but for all things that run in yearly farms or demands, they ſhall be charged to the King, as in times paſt.

XXXV. Stat. 23 *H.6.8.* The Statutes of 14 *E.3.7.* 42 *E.3.9.* and 1 *R.2.11.* ſhall be duly obſerved, except by Officers in *London*, and where any hath Free-hold or inheritance in the Sheriffs Office.

XXXVI. No Sheriff, or any of his Under-Officers, (except before excepted) ſhall act contrary to the ſaid Statutes, in pain to forfeit yearly 200 *l.* and every Pardon granted them in that behalf, or for the ſaid forfeiture, and every Patent made for that purpoſe, ſhall be void, notwithſtanding the clauſe or word of *Non obſtante* be inſerted in any of them: And whoſoever ſhall hereafter act by any ſuch Patents, ſhall be for ever after diſabled to bear the Office of Sheriff in *England*.

XXXVII. The forfeiture aboveſaid is to be divided betwixt the King and the Proſecutor.

☞ XXXVIII. Stat. 23 *H.6.* 10. No Sheriff ſhall let to farm his County or Bailiwick; neither ſhall he, his Under-ſheriff, or any other Bailiff, return upon Inqueſt any Bailiff, Coronor, Steward, or any Servant of theirs; neither ſhall they take any thing for Arreſting, or for omitting to Arreſt, ſave only the Fees that follow, *viz.* for the Sheriff 20 *d.* for the Bailiff that makes the Arreſt 4 *d.* and for the Gaoler (when the party is committed) 4 *d.* Neither ſhall any Sheriff, Under-ſheriff, Sheriffs Clerk, Steward or Bailiff of Franchiſe, Servant, Bailiff or Coronor, take above 4 *d.* for the Copy of a Panel.

XXXIX. Sheriffs and other Officers ſhall let to Bail perſons by them arreſted upon reaſonable Sureties, having ſufficient within the County: (perſons in Ward by condemnation, exemption, *Capias utlagatum*, or *excommunicatum*, ſurety of Peace, or committed by command of the Juſtices, and Vagabonds refuſing to ſerve, only excepted.)

XL. The ſaid Officers ſhall take no Bond of any arreſted perſon, but for appearance, and to themſelves only; and ſhall not take for it more than 4 *d.* And Bonds otherwiſe taken (*colore officii*) ſhall be void.

XLI. Sheriffs ſhall make Deputies in the King's Courts at *Weſtminſter*, to receive Writs to be delivered unto him.

XLII. Sheriffs, Under-ſheriffs, Clerks, Bailiffs, Gaolers, Coronors, Stewards, Bailiffs of Franchiſes, and all other Officers, which do contrary to this Act, ſhall forfeit for every ſuch offence treble damages to the party grieved, and beſides 40 *l.* to be divided betwixt the King and the Proſecutor.

XLIII. Juſtices of Aſſize, of both the Benches, and of Peace, have power to hear and determine ſuch offences.

XLIV. If the Sheriff return a *Cepi corpus*, or *Reddidit ſe*, he ſhall be chargeable to have the Body of the party ready at that day of the Return mentioned in the Writ.

XLV. The Warden of the Fleet, or of the Gaol of the King's Palace

Palace at *Weſtminſter*, ſhall not be prejudiced by this Ordinance.

XLVI. **Stat.** 1 *E.*4.2. Sheriffs ſhall deliver all Indictments and Preſentments taken in their turns unto the Juſtices of Peace at their next Seſſions, in pain of 40 *l.* who ſhall arraign, deliver, make Proceſs, and proceed thereupon, as if they were taken before them, and ſhall deliver indented Eſtreats of the Fines to the Sheriff, to be levied to his own uſe. And here, if the Sheriff levy any Fine, or commit any to Priſon, by colour of any ſuch Indictment or Preſentment, or otherwiſe than by Warrant from the Juſtices, as aforeſaid, he ſhall forfeit 100 *l.* Howbeit, Sheriffs of *London* ſhall not be reſtrained by this Act, nor ſuch as have had Fines formerly granted unto them.

XLVII. **Stat.** 12 *E.*4.1. If a Sheriff execute or retorn any Writ, Precept or Warrant, into any of the King's Courts in *Michalmaſs* Term after the ſixth day of *November*, (being commonly the day of the date of their Patent) and before any Writ of Diſcharge is delivered unto him, he ſhall not thereby incur the penalty of 200 *l.* ordained by the Statute of 23 *H.* 6. 8. albeit he doth execute his Office after the Retorns of *Craſtino Martini*, *Octabis Martini*, and *Quindena Martini*, after his year is out.

XLVIII. **Stat.** 17 *E.* 4. 6. Every old Sheriff may execute his Office during *Michaelmaſs* and *Hillary* Terms, if he have not before a Writ of Diſcharge, without danger of incurring any forfeiture or pain in reſpect thereof.

☞ XLIX. **Stat.** 11 *H.* 7. 15. No Sheriff, Under-ſheriff, or Sheriffs Clerk, ſhall enter into the County-Court any Plaint in the abſence of the Plaintiff or his Attorny, nor have above one Plaint for one Cauſe, in pain of 40 *s.* to be divided betwixt the King and the Proſecutor.

L. A Juſtice of Peace, upon complaint made, hath power to examine the aboveſaid Officers and Plaintiff concerning the Premiſſes; and finding any of the ſame Officers guilty, ſhall within three months after certifie that examination into the Exchequer, in pain of 40 *s.* upon which examination the ſaid Officers ſhall be convicted to pay the aboveſaid forfeiture of 40 *s.* without farther inquiry.

LI. The Defendant in the County-Court ſhall have lawful ſummons; and if the Bailiff be therein found faulty, he ſhall forfeit 40 *s.* And here alſo Examination and Certificate ſhall be made by a Juſtice of Peace, as aforeſaid.

LII. Before the Sheriff iſſue forth any Eſtreats out of the County-Court, two Juſtices of Peace (1. *Qu.*) ſhall view them; and there being two parts of them indented and ſealed by the ſaid Juſtices and Sheriff, one of them ſhall remain with the Juſtices, and the other with the Sheriff. And here the Officer that collects them ſhall make Oath before the ſaid Juſtices, to levy no more than what is contained in them, in pain of 40 *s.* who may be convict of that offence by the examination of one Juſtice of Peace, as aforeſaid.

LIII. The Juſtices of Peace which are to have the controlment of the Sheriff and his Eſtreats, ſhall be named at *Michaelmaſs* Seſſions by the *Cuſtos Rotulorum*, or (in his abſence) by the eldeſt of the *Quorum*. And the ſaid Juſtices of the Peace, upon information of the party grieved, may make out like Proceſs againſt the Offenders, as in Actions of Treſpaſs.

LIV. **Stat.** 6 *H.*8. 18. The Under-ſheriff and all other Officers of Sheriffs, may continue and execute their Offices within the County of the Town of *Briſtol* from year to year, in ſuch ſort as the like do in *London*, without any forfeiture, notwithſtanding the Statutes of 42 *E.*3. 9. and 23 *H.*6. 8.

LV. **Stat.** 34 *H.*8. 16. Every Sheriff, his Under-ſheriff or Deputy, ſhall at his day of prefixion in the Exchequer, immediately after he is ſworn to accompt, make alſo Oath to deliver into that Court Schedules containing the particular ſums of Mony which he hath levied, or might have levied, and, as near as may be, what perſons or lands ought to be charged therewith; and after ſuch Schedules delivered, caſt and rated, that Court ſhall have power to make him allowance of ſo much Mony, as the Farms wherewith he is charged amount to more than the ſaid particulars: and for ſuch parcels as they ſo amount to more, the Court ſhall iſſue out Proceſs for the recovery thereof for the Kings uſe.

LVI. Concerning ſums reſpected to the Sheriffs upon their Petitions, they ſhall from henceforth (upon their Oaths) be diſcharged thereof, and Proceſs ſhall iſſue out againſt the Debtors.

LVII. Sheriffs (upon their Accompts) ſhall have allowance for executing the King's Writs and Summons, levying of Eſtreats, coming to the Exchequer to make the profers and view of their Accompts, and for the expences at the Aſſizes, Gaol deliveries, *Oyers* and *Terminers*, and the like; ſo as the total of all ſuch allowances to all Sheriffs exceedeth not 342 *l.* 6 *s.* 8 *d.*

LVIII. **Stat.** 2 *&* 3 *E.*6. 4. The ſaid Act of 34 *H.*8. 16. ſhall be clearly void to all intents and purpoſes, other than ſuch as are hereafter in this Act ſpecified.

LIX. All Sheriffs ſhall have ſuch Tallies of reward and other allowances, as they had before the making of the Statute of 34 *H.* 8. 16. alſo to be at their Election to accompt, and all other things to do according to the ſaid former Act: And every Sheriff that ſo ſhall accompt, and take no Tally of reward, ſhall be entreated in the Exchequer in all things as if the ſaid former Act were in force.

LX. Tallies of reward (without any Warrant) ſhall be ſtricken as they were before the making of the ſaid Act, and ſhall be delivered to the Sheriff or his Attorny without any farther charge.

LXI. Sheriffs

LXI. Sheriffs of Counties where no Tallies of reward have uſed to be ſtricken, ſhall be allowed their expences upon Petition, with a Bill thereof thereunto annexed, being verified by the Oath of the Sheriff, his Under-ſheriff, or Attorny.

LXII. Sheriffs who take no Tallies of reward ſhall be diſcharged, (upon their Accompts) of all ſuch Farms, Goods, Chattels, Profits, Caſualties, and ſums of Mony, as they cannot levy or come by: and all other Sheriffs, who take Tallies of reward, ſhall alſo be diſcharged of all ſuch profits and ſums as aforeſaid, except only of Vicontiels, wherewith they ſhall be chargeable, as they were before the making of the ſaid former Act.

LXIII. Sheriffs alſo ſhall have allowance (in their Accompts) of all ſuch ſums of Mony as they ſhall make true Petition of, for ſuch poſſeſſions as are come to the King's hands by unity of poſſeſſion or otherwiſe, out of which any part of ſuch Vicontiels were leviable.

LXIV. Provided, that every Sheriff (his Under-ſheriff or Deputy) ſhall at his day of prefixion in the Exchequer, immediately after he is ſworn to accompt, make alſo Oath to deliver into that Court Schedules, containing the particular ſums of Mony which he hath levied, or might have levied, and (as near as may be) what perſons or lands ought to be charged therewith: And after ſuch Schedules delivered, caſt and rated, that Court hath power to make him allowance of ſo much Mony as his charges amount to more than the ſaid particulars: and for ſuch parcels as they ſo amount to, the Court ſhall iſſue out Proceſs, or take ſome other fit courſe, for the recovery thereof to the King's uſe. And if they employ any Commiſſioners to enquire after the ſame, they ſhall allow them their reaſonable coſts and charges at their diſcretions.

LXV. Stat. 2 & 3 *E.* 6. 34. Sheriffs of *Northumberland* ſhall enter into Recognizance to be accomptable for their Office, as other Sheriffs do, in pain of 100 *l.* Howbeit they ſhall not be chargeable but only for their own year.

LXVI. Stat. 1 *M. Par.* 1. *Seſſ.* 2. *cap.* 8. No Sheriff ſhall be Juſtice of Peace during his Shrievalty, notwithſtanding the Statute of 1 *E.* 6. 7. (*which ſee in* Diſcontinuance of Proceſs:) and all acts then done by him as Juſtice of Peace ſhall be void.

LXVII. Stat. 8 *Eliz.* 16. Whereas there hath been heretofore but one Sheriff choſen for each two Counties of *Surry* and *Suſſex*, *Eſſex* and *Hertford*, *Somerſet* and *Dorſet*, *Warwick* and *Leiceſter*, *Nottingham* and *Derby*, *Oxon* and *Berks*; hereafter there ſhall be one Sheriff choſen for each of the ſaid Counties, who ſhall be accomptable and uſed in the order of his Accompt, and all other things and allowances in the Exchequer, and in all other Courts and places, as is uſed for Sheriffs in the like places; and the profers of the ſaid Counties ſhall be forthwith ſevered by the ſaid Court and the Officer thereof, and alſo the Tallies of reward divided accordingly.

LXVIII. The Barons of the Exchequer, calling to them the Officers of the Treaſurers remembrance, ſhall order the ſpeedy payment of ſuch Creation-mony, Fees, Annuities, and other ſums of Mony, as ought to be paid by the ſaid Sheriffs.

LXIX. Provided, that the ſaid Sheriffs ſhall pay for Fees but the one half of what was formerly paid by them, when they were Sheriffs of two Counties.

LXX. **Stat.** 13 *El.* 22. The Statute of 8 *El.* 16. is made perpetual, except for the Counties of *Surry* and *Suſſex*.

LXXI. **Stat.** 27 *El.* 7. No Sheriff, Coronor, or other perſon having retorn of Writs, ſhall return any Juror dwelling out of a Liberty, without the true addition of the place of his abode at the time of ſuch return, or ſome other addition by which the party returned may be known; nor any Juror within a Liberty, with other addition than ſhall be given him by the Bailiff thereof and his Deputy, under his or their hand.

LXXII. No Bailiff of a Liberty or his Deputy ſhall return any Juror, or deliver to the Sheriff or his Deputy the names of any to be returned upon any Panel or Jury, without the true addition, under his or their hand, of their abode at the time of ſuch return, or within one year before, or ſome other addition whereby the party may be known; neither ſhall any Iſſues go forth againſt any perſon otherwiſe returned in the Original Panel or *Tales*.

LXXIII. No Sheriff, Bailiff, or other, ſhall levy any Iſſues ſo eſtreated of any other perſon, than of ſuch as by the Eſtreat ought of right to be charged therewith; in pain that every Clerk who ſhall write or deliver, or procure ſuch Eſtreat to be delivered or put in ure, and every other perſon offending contrary to the meaning of this Act, ſhall forfeit five Marks to the Queen, and as much to the party grieved, to be recovered by Action of Debt, &c.

LXXIV. Juſtices of *Oyer* and *Terminer*, Aſſize and Peace, have power to hear and determine the offences aforeſaid, and to iſſue forth Proceſs for levying of the ſaid Forfeitures.

☞ *LXXV.* **Stat.** 27 *El.* 12. Every Under-ſheriff, before he intermeddles with his Office, ſhall before one of the Juſtices of Aſſize, or the *Cuſtos Rotulorum* of the County, or two Juſtices of the Peace there, (1. *Qu.*) take the Oath of Supremacy, (*which ſee in Crown*) and alſo the Oath hereafter written, in pain to forfeit treble damages to the party grieved, if he commit any Act contrary to the ſaid Oaths, or either of them.

LXXVI. The Form of the other Oath is as followeth:

LXXVII. *I A. B. ſhall not uſe nor exerciſe the Office of Under-ſheriff corruptly, during the time that I ſhall remain therein; neither ſhall or will accept, receive or take by any colour, means, or device whatſoever, or conſent to the taking of any manner of Fee or reward,*

reward of ay perſon or perſons, for the impanelling or return of any Inqueſt, Jury or Tales, *in any Court of Record for the King, or betwixt party and party, above two ſhillings, or the value thereof, and ſuch Fees as are allowed and appointed for the ſame by the Laws and Statutes of this Realm: but will, according to my power, truly and indifferently, with convenient ſpeed, impanel all Jurors, and return all ſuch Writ or Writs touching the ſame, as ſhall appertain to be done by my duty or office, during the time that I ſhall remain in the ſaid Office. So help me God.*

LXXVIII. No Bailiff of Franchiſe, Deputy, or Clerk of a Sheriff or Under-ſheriff, ſhall intermeddle with their ſeveral Offices before they have taken the ſaid Oaths as aforeſaid, (altering only the terms of Office,) in pain to forfeit 40 *l.* to be divided betwixt the King and the Proſecutor.

LXXIX. Juſtices of Aſſize, and Juſtices of Peace in Seſſions, have power to hear and determine the defaults and offences aforeſaid, and upon conviction to award Proceſs accordingly.

☞ *LXXX.* **Stat.** 29 *El.* 4. No Sheriff, Under-ſheriff, Bailiff of a Liberty, or any of their Deputies, ſhall either directly or indirectly, take more for ſerving an Extent or Execution, than after 12 *d.* for every pound under 100 *l.* and 6 *d.* for every pound above 100 *l.* in pain to forfeit treble damages damages to the Party grieved, and beſides 40 *l.* betwixt the Queen and the Proſecutor.

LXXXI. This Act ſhall not extend to fees of Executions within Cities or Corporations.

LXXXII. **Stat.** 43 *El.* 6. If any Sheriff or other, taking upon him to break Writs, do make any Warrant for ſummons, or upon any Writ, Proceſs or Suit, or for any Arreſt or Attachment of Body or Goods, againſt any perſons, to appear in any of the Queens Courts, (not having the Original Writ or Proceſs warranting the ſame,) upon complaint thereof to the Juſtices of Aſſize of the County where the offence was committed, or the Judges of the Court out of which the Proceſs iſſued, the party ſo offending, and all procurers thereof, ſhall be ſent for before the ſame Juſtices or Judges by Attachments, or otherwiſe, and ſhall be examined upon their Oaths concerning the ſame.

LXXXIII. If the offence ſhall be confeſſed, or proved by ſufficient Witneſſes, the ſaid Juſtices or Judges ſhall forthwith commit the Offender to the Gaol of the County or Court where he ſhall be examined, from whence he ſhall not be enlarged until he have paid the party grieved 10 *l.* and all his coſts and damages, to be aſſeſſed by the ſame Juſtices or Judges, and likewiſe 20 *l.* to the Queen.

LXXXIV. **Stat.**

LXXXIV. Stat. 21 *Jac.* 5. A *Quietus eſt* ſhall be a ſufficient diſcharge for a Sheriff, unleſs he be queſtioned within four years after the grant thereof.

LXXXV. Every Officer or Miniſter that ſhall ſend out, or cauſe to be ſent out, any Writ or Proceſs, or by whoſe default any Writ or Proceſs ſhall be ſent out, contrary to this Act, ſhall for every ſuch offence forfeit and pay to the party grieved 40 *l.* and his coſts and damages, to be recovered by Action of Debt, &c.

LXXXVI. Stat. 13 & 14 *Car.* 2. *cap.* 21. No Sheriff ſhall in Aſſize-time keep a Table for the Entertainment of any, but thoſe of his own Family or Retinue: Nor ſhall ſend any Preſent to any Judge of Aſſize for his Proviſion, nor ſend a Gratuity to any of his Officers or Servants. No Sheriff ſhall have more than 40 Men-ſervants with Liveries, attending upon him at the Aſſizes, nor under 10, in any County in *England*, nor under 12 in *Wales*, on pain to forfeit for offending in any of the premiſſes 200 *l.*

LXXXVII. Nothing before in this Act contained ſhall extend to the Sheriffs of *London* and *Middleſex*, and the Sheriff of *Weſtmoreland*, or any Sheriffs of any City and County.

LXXXVIII. The ſeveral Remembrancers of the Exchequer ſhall from time to time make true Copies of ſuch Seizures and Inquiſitions, as ſhall be certified into their reſpective Offices, without certifying the Copy of the Writ or Commiſſion, mentioning only the date thereof, and ſhall deliver the Copies atteſted under their hands to Engroſſer of the great Roll, before the firſt day of the next Term after they ſhall have received them: to which Remembrancers ſhall be paid 8 *d.* a ſheet by the Sheriffs, who ſhall be allowed it upon their Accompts. No Sheriffs ſhall be charged in accompt to anſwer any Illeviable-ſeizure, Farm, Rent, Debt, or other ſeizure, Farm, &c. not writ in Proceſs to him to be levied, wherein the perſons of whom, the Lands out of which, and the cauſe for which ſhall be expreſſed.

LXXXIX. All Seizures made before the firſt year of King *James* the firſt, now remaining in the Accompts of Sheriffs, and all Seizures and Debts pardoned, are hereby diſcharged, and ſhall be left out of the Sheriffs Accompts. No Proceſs ſhall be written to any Sheriff for levying any Rent, which cannot be explained by the particulars, or hath been unanſwered for forty years. All other dead farms and ſeizures, and all deſperate, illeviable and unintelligible Debts, ſhall be removed into the Exannual Roll, there to remain till reviv'd by Commiſſion.

XC. The Remembrancers ſhall forthwith enrol and certifie to the Engroſſer of the Great Roll, ſuch Debts as any Sheriff ſhall be charged with by their reſpective Returns of any Proceſs; and of all Fines and Amerciaments which ſhall be impoſed by the Court of Exchequer upon any Sheriff for Contempts or Neglects. And ſuch Debts, Fines and Amerciaments ſhall be delivered by the firſt day of the

the next Term after ſuch Retorns made, or ſuch Fines and Amerciaments impoſed; that they may be all charged in the Sheriffs Accompt, and comprehended within his *Quietus eſt*, on pain to forfeit 40 *l.* one Moiety to the King, the other Moiety to the party grieved.

XCI. No perſon ſhall be aſſigned to be Sheriff of any County, but ſuch as have Lands within the ſame, ſufficient to anſwer the King and his People.

XCII. When any Sheriff ſhall have his *Quietus*, he ſhall be abſolutely diſcharged, unleſs called in queſtion within four years. And every Officer and Miniſter, by whoſe default any Writ or Proceſs ſhall iſſue contrary to this Act, ſhall incur the like Forfeitures and Penalties, to be recovered in like manner, as by the Act of 21 *Jac.* 1. *cap.* 5. is provided.

XCIII. This Act ſhall not extend to the Counties of *Cheſter*, *Lancaſter* or *Durham*, or the Counties of *Wales*, being County Palatines, as to their manner of accompting.

XCIV. This Act ſhall not extend to enjoyn the King's Remembrancer, or the Lord Treaſurer's Remembrancer, to deliver to the Engroſſer of the Great Roll, any Inquiſitions or Seizures, but ſuch as have been formerly charged in the forein Accompts of Sheriffs. Inquiſitions upon Attainders, or other Forfeitures to the Crown, ſhall be put in charge as heretofore. Nor ſhall this Act exclude the King's Remembrancer, from writing forth Proceſs of any of the King's Debts, Duties, Outlawries, or other Charge, or Proceſs of *Levari facias*, at the proſecution of any perſon, to levy the Iſſues and Profits of any Lands ſeiſed into the King's hands, or Proceſs of *Venditioni exponas* for Goods ſeiſed for Debt. No Debt, Duty, Fine, Amerciament or Seizure, charged in the Great Roll of the Pipe, from any Record, Proceſs, or Proceeding made in the Office of the King's Remembrancer, ſhall be diſcharged, but by Warrant, Order or Judgment entred in the ſaid Office. And if any Proceſs of Summons of the Pipe ſhall be awarded for any Debt, &c. and the ſame not be levied or anſwered, the Clerk of the Pipe or Engroſſer of the Great Roll, ſhall the next Term after the Retorn of ſuch Summons, certifie the ſame in a Schedule into the Office of the King's Remembrancer, that further Proceſs may be written forth. This Act ſhall not be prejudicial to the King's Remembrancer in any ancient and lawful Fees by him claimed.

XCV. This Act to continue to the end of the firſt Seſſion of the next Parliament, and no longer.

XCVI. **Stat.** 1 *Jac.* 2. *cap.* 17. One Act made in the 13*th* and 14*th* years of King *Charles* the Second, Entituled, *An Act for preventing the unneceſſary Charge of Sheriffs, and for Eaſe in paſſing their Accompts*, ſhall be perpetual.

Ships.

I. Stat. 38 E. 3. 8. No Owner of a Ship ſhall forfeit the ſame for any ſmall thing put thereinto (without his knowledge) not cuſtomed for.

II. Stat. 5 R. 2. 3. None of the King's Subjects ſhall export or import any Merchandize, but only in Ships of the King's Allegiance, in pain to forfeit all Merchandize otherwiſe conveyed, or the value thereof, whereof the finder ſhall have a third part of the King's gift.

III. Stat. 6 R. 2. 8. The Statute of 5 R. 2. 3. ſhall only have place, where able and ſufficient Ships of the King's Allegiance may be found; otherwiſe the Merchants may hire other Ships, the ſaid Statute notwithſtanding.

IV. Stat. 14 R. 2. 6. *Engliſh* Merchants ſhall fraight (within the Realm) in *Engliſh* Ships, and not in Ships of ſtrangers, ſo as the Owners of ſuch *Engliſh* Ships take reaſonable for their fraights.

V. Stat. 4 H. 4. 20. *pars inde.* All Merchandize imported and exported ſhall be charged and diſcharged in great Sea-Ports, and not in Creeks and ſmall Arrivals, in pain to forfeit to the King all Merchandize otherwiſe charged or diſcharged; except any Veſſel ſhall be driven into ſuch a ſmall Creek by Tempeſt.

VI. Stat. 15 H. 6. 8. None ſhall ſhip any Wool, Woolfels, or other Merchandize pertaining to the Staple, but only at the Keys and Ports aſſigned by the Statute, where the King's Weights and Wools are ſet.

VII. Every Maſter of a Veſſel, wherein ſuch Merchandize is ſhipped, ſhall give good ſecurity to the Cuſtomers there, to tranſport the ſame to the Staple at *Calais*, and to bring a Certificate thereof from thence; ſaving to all Merchants of *Jeane*, *Venice*, *Tuſcany*, *Lombardy*, *Florence* and *Catalonia*, and to the Burgeſſes of *Berwick*, their liberty formerly granted by Statute.

VIII. Stat. 4 H. 7. 10. No *Gaſcoign* or *Guien* Wine, or *Tholouſe* Woad, ſhall be imported into this Realm but in *Engliſh* Veſſels, in pain to forfeit the ſame.

IX. None ſhall fraight in any ſtrangers Ship any Merchandize to be imported or exported into or out of this Realm, if he may have ſufficient fraight in the ſame Port in a Denizens Ship, in pain to forfeit all Merchandize otherwiſe ſhipped, to be divided betwixt the King and the Seiſor.

X. This Act ſhall not extend to any Ship, (having Merchandize) forced by Tempeſt into any Port within this Realm, ſo as the owner thereof make no ſale of ſuch Merchandize within this Realm, ſave only for neceſſary Victual, or repairing of the Ship and Tackle.

XI. Stat.

XI. Stat. 32 *H.*8. 14. *Gaſcoign* or *Guien* Wines, or *Tholouſe* Woad, may be imported into this Realm in any other Ships as well as *Engliſh*, notwithſtanding the Statute of 4 *H.*7. 10.

XII. Stat. 1 *El.* 13. The Statute of 5 *R.* 2. 3. and 4 *H.* 7. 10. are made void.

XIII. If any Owner of any Merchandize ſhall (in time of Peace) embark or unload any part thereof (Maſtraff, Pitch, Tar and Corn only excepted) out of, or into any other than an *Engliſh* Bottom, he ſhall pay Cuſtom to the Queen for the ſame as an Alien.

XIV. No *Engliſh* man ſhall croſs the Sea with any Hoys, or Plats, in pain to forfeit the ſame, to be divided betwixt the King and the Proſecutor.

XV. Provided, that Merchants at their ſeveral ſhippings of Cloth or Wool out of the *Thames* (to be twice in the year at the moſt) may embark Merchandize in a ſtrangers Ship, ſo long as there are not *Engliſh* Ships enough and convenient, to convey ſuch Merchandize into *Flanders*, *Holland*, *Zealand*, or *Brabant*, without paying any greater Cuſtom than *Engliſh*-men uſe to do: Alſo *Briſtol*-men ſhall do the like, by reaſon of great Loſſes lately ſuffered by them.

XVI. Stat. 5 *El.* 5. Any Subject may export out of this Realm Sea-fiſh, &c. without paying Cuſtom for the ſame. *But this Act was expired by the Queens death.*

XVII. None ſhall ſet priſe, make reſtraint, or demand Toll, of any Sea-fiſh imported into this Realm by any of the Queens Subjects, in pain to forfeit the value of ſuch Fiſh ſo ſet price of, reſtrained or tolled.

XVIII. This Act ſhall not reſtrain the Inhabitants of *Hull* to take Toll and Cuſtom, (according as is limited by the Statute of 33 *H.*8. 33 *which ſee in* Hull 1.) Howbeit they ſhall not take liberty thereby to tranſport Herring or Salt-fiſh.

XIX. No Purveyor ſhall take any Sea-fiſh of any that ſhall take the ſame in any Subjects Ship, in pain to forfeit the double value thereof. Howbeit, Compoſition fiſh (of people travelling into *Ireland*) due to the Queen and other perſons ſhall be paid as formerly.

XX. No Herring ſhall be bought of a ſtranger, or out of his Bottom, being not ſufficiently ſalted, pickled, and casked, in pain to forfeit the ſame, or the value thereof; except ſuch Veſſel be driven in by Shipwreck.

XXI. No Fiſh, Victual, Wares or things ſhall be tranſported in a ſtrangers Bottom from one Port to another within this Realm, in pain to forfeit the ſame, or the value thereof.

XXII. Hoys and Plats may croſs the Seas as far as *Cane* in *Normandy*, or Eaſtward as far as *Norway*, notwithſtanding the Statute of 1 *Eliz.* 13.

XXIII. All

XXIII. All Cod and Ling ſhall be brought into this Realm looſe, and not in Barrel, in pain to forfeit the ſame, or the value thereof.

XXIV. No Wine of the growth of *France*, or any Woad of *Tholouſe*, ſhall be imported into this Realm in any other Veſſel than *Engliſh*, in pain to forfeit the ſame, according to the Statute of 4 *H.* 7. 10. Only into *Wales Rochel*-Wines may be otherwiſe imported.

XXV. Owners of Ships, and all others uſing the Trade of the Sea-fiſhing or otherwiſe, and every Gunner and Ship-wright, may take Apprentices, to be bound for 10 years or under, by Indenture, to be enrolled in the ſame Corporation, if the Maſter dwell in one; but if not, in the next.

XXVI. So much of the Statute of 5 & 6 *E.* 6. 14. (*which ſee in* Foreſtallers) and of all other Statutes, as concerns the buying of Sea-fiſh unſalted, or Mud-fiſh, or any Wine, Oil or Salt, to be brought in an *Engliſh* Veſſel to any Port within this Realm, ſhall be void.

XXVII. None ſhall eat Fleſh upon days uſually obſerved as Fiſh-days, in pain of 3 *l.* or three Months impriſonment without Bail. And they that wittingly ſuffer any ſuch offence to be done in their houſe, and do not diſcover it to an Officer that may puniſh it, ſhall forfeit 40 *s.*

XXVIII. Theſe Forfeitures ſhall be divided into three parts, whereof the Queen ſhall have one, the Poor of the Pariſh another, and the Informer the third.

XXIX. Notwithſtanding this Act, Licences may be granted upon juſt cauſes on theſe conditions following: *viz.* To a Peer or his Lady, if he pay yearly for it to the Poor of the Pariſh where he dwells 26 *s.* 8 *d.* to a Knight or his Lady, if he pay 13 *s.* 4 *d.* and to any other Inferior perſon, if he pay 6 *s.* 8 *d.* But here no Licence ſhall extend to the eating of Beef at any time, or to the eating of Veal betwixt *Michaelmaſs* and *May-day*.

XXX. The Miniſter of the Pariſh may grant a Licence to a ſick Perſon, during the time of his ſickneſs; and if the ſickneſs continue above eight days, he ſhall in the preſence of one of the Church-wardens Regiſter the ſame, and have 4 *d.* for the Regiſtring of it. But here, if he grant the Licence without juſt cauſe, he ſhall forfeit five Marks.

XXXI. Wines ſhall be ſold (by Retail) at ſuch Prices as ſhall be limited by the Queen's Proclamation, with the aſſent of ſuch Lords and others, as by the Statute of 18 *H.* 8. 14. (*which ſee in* Wines) are authorized to ſet Prices on Wines in groſs.

XXXII. The Statute of 28 *H.* 6. 19. (*which ſee in* Captains) ordained againſt Souldiers, ſhall extend to Mariners and Gunners.

XXXIII. Theſe offences ſhall be heard and determined as followeth: *viz.* being committed upon the main Sea, without the limits of the *Cinque Ports*, by the Lord Admiral, his Lieutenant,

or

or Deputies, or by Juſtices of *Oyer* and *Terminer*, according to the Statute of 28 *H.* 8. 15. (*which ſee in* Trial:) but if without any Port, and yet within the Juriſdiction of any of the *Cinque Ports*, then by the Lord Warden of the *Cinque Ports*, or his Subſtitute, or by Juſtices of *Oyer* and *Terminer*, according to the Statute of 28 *H.* 8. or if in a Port, or elſewhere upon the main Land, then by the Juſtices of Peace, or other chief Officers in Seſſions, within their ſeveral Juriſdictions. And here the Trial may be by the Oaths of twelve Men, or otherwiſe by information. And for levying the ſaid Forfeitures, the ſaid Officers and Juſtices may iſſue out Proceſs at their diſcretion.

XXXIV. The time limited for the proſecution of this Action is, for a Subject ſix Months, and for the Queen a whole Year.

XXXV. Every ſuch Perſon licenced to eat Fleſh, as aforeſaid, (except for ſickneſs, age, or other impediment) ſhall have at his Table, for every diſh of Fleſh, one diſh of Fiſh, upon like pain as for eating Fleſh upon Fiſh-days.

XXXVI. If any ſhall be Preaching, or otherwiſe avouch or notifie, that any eating of Fleſh, or forbearing of Fleſh, is neceſſary for the ſaving the Soul, or the ſervice of GOD, otherwiſe than as other politick Laws be, he ſhall be puniſhed as a ſpreader of falſe News. *Which ſee in* News.

XXXVII. Fiſher-men or Mariners ſhall not be compellable to ſerve as Souldiers, otherwiſe than as Mariners, unleſs for ſome ſpecial exploit, or to withſtand an Invaſion, or ſubdue a Rebellion, or bound ſo to do by tenure, cuſtom or covenant.

XXXVIII. The Liberties and Rights of others are ſaved.

XXXIX. Provided, that no Fiſher-men uſing the Sea ſhall be taken by the Queens Commiſſion to ſerve as a Mariner at Sea, unleſs the ſaid Commiſſion be firſt brought by the Queens Taker to the two next Juſtices of Peace, to the end they may chuſe and return ſuch ſufficient number of able Men as in the ſame Commiſſion ſhall be contained.

XL. The Liberties of the *Cinque Ports* and Great *Yarmouth* are ſaved, other than for buying of ſtrangers, and taking of Toll, as the ſame are before prohibited.

XLI. This Act ſhall not prejudice the Authority or Juriſdiction of the Lord Warden of the *Cinque Ports*.

XLII. Wine may be imported into the Iſle of *Man* and *Chepſtow* in ſtrangers bottoms not exceeding an hundred Tun in one year in each of them, notwithſtanding this Act. The like may alſo be done in all other Ports of *Wales* (beſides the *Rochel*-Wines before permitted) ſo as the quantity exceed not an hundred Tun in one year, as before.

XLIII. The Queens duties for the three hundred Tun (mentioned in the laſt clauſe) are ſaved.

XLIV. The

XLIV. The Lord Admiral, or his Substitutes, shall have no greater Authority than they had before this Act, save only for punishment of offences, as aforesaid.

XLV. Stat. 8 *El.* 3. None shall transport Sheep beyond Sea, in pain to forfeit all his Goods, to suffer one years imprisonment, and to have his hand cut off in some open Market; and for the second offence, to suffer death as a Felon.

XLVI. This Act shall not extend to corruption of Blood, or forfeiture of Dower.

XLVII. Justices of Gaol-delivery and of Peace have power to hear and determine this offence.

XLVIII. The aforesaid Goods forfeited shall be divided betwixt the Queen and the Prosecutor.

XLIX. Stat. 13 *El.* 11. So much of the Statute of 5 *El.* 5. as concerns the transporting of Herring and Sea-fish by the Subjects born, and for not paying of Custom for the same, shall be revived, so as it be in Vessels with Cross-sails.

L. No Vessel called a Catch, Monger, or Picard, shall upon the Coasts of *Norfolk* and *Suffolk*, between the 14*th* of *September* and the 14*th* of *November*, from Sun-setting to Sun-rising, Anchor upon the main Sea, or in the Trade of fishing, in pain to forfeit their Vessel, or the value thereof, to be divided betwixt the Queen and the Corporation of Great *Yarmouth*, to be employed towards the damages of the party grieved, and the repairing of the Haven there, and to be recovered by seisure, or otherwise by Bill, Action, &c.

LI. A Barrel of thirty one Gallons of Wine-measure, (being about twenty eight Gallons by the old standard) which will contain usually a thousand full Herrings at least, shall be taken for the Assize of Herring-barrels.

LII. No foreign Fish shall be dried in *England* to be sold, in pain to forfeit the same, or the value thereof, to the Seisor and Prosecutor.

LIII. Stat. 13 *El.* 15. So much of the Statute of 5 *El.* 5. as permits crossing the Seas with Hoys and Plats is repealed, and the Statute of 1 *Eliz.* 13. that prohibits them is revived.

LIV. Stat. 35 *El.* 7. The abovesaid penalty of 3 *l.* (limited by the Statute of 5 *El.* 5.) is mitigated to 20 *s.* and that of 40 *s.* to 13 *s.* 4 *d.*

LV. Stat. 39 *El.* 10. The Queens Subjects (being Owners of Ships with Cross-sails) may take into their Ships any Fish which any Alien shall buy of any Subject, and may transport the same beyond the Sea in their said Ships, so as such an Alien pay the Custom due for the same.

LVI All Aliens shall pay like Custom for Salt-fish and Herrings by them imported into this Realm, as a Subject of *England* pays there from whence the said Fish or Herrings were brought, besides the Queens ordinary custom.

LVII. None

LVII. None ſhall offer to ſell any unwholſom Fiſh (being warned thereof by the Officer) in pain to forfeit the ſame: and being an Alien, he ſhall forthwith export it, upon the like pain.

LVIII. **Stat.** 43 *El.* 9. No Ordinance made by the Fiſh-mongers in *London*, or any other Corporation, reſtraining any Coaſt man, Fiſher-man, or other, from taking, bringing in, putting to ſale or buying of Salt-fiſh or Herrings, (being wholſom) ſhall be put in execution, in pain of 100 *l.*

LIX. **Stat.** 1 *Jac.* 1. 24. None ſhall make, or cauſe to be made, any Cloth for Ships ſails, (called *Mildernix* and *Powldavis*,) but ſuch as now uſe the ſame Trade, or ſhall be hereafter trained therein by the ſpace of ſeven years together, in pain to forfeit 20 *s.* a Month.

LX. The ſaid Cloths ſhall be made of good Hemp; and thirty three yards long, and three quarters of a yard broad; and they ſhall not be put to ſale before the ſtuff thereof be well beaten, ſcoured and breached, and the Cloth well driven with a brazen or iron Shuttle: in pain to forfeit for every Cloth otherwiſe made 5 *s.*

LXI. The Forfeitures aforeſaid ſhall be divided betwixt the King and the Proſecutor.

LXII. **Stat.** 16 *Car.* 1. *Cap.* 14. The late proceedings touching aſſeſſing and levying an Impoſition called *Ship-mony* declared and adjudged unlawful, and all Records and Proceſs, Judgments, Proceedings and Enrolments thereof cancelled and made void.

LXIII. **Stat.** 12 *Car.* 2. *Cap.* 18. No Goods ſhall be imported into or exported out of any Territories belonging, or which may belong to the King, in *Aſia*, *Africa*, or *America* in other Veſſels than ſuch as belong only to the People of *England* or *Ireland*, *Wales*, or Town of *Berwick*, or of any the ſaid Territories, and whereof the Maſter and three fourths of the Mariners are *Engliſh*, on pain to loſe ſuch Goods and Veſſel with all its Furniture: one third whereof to the King, the other third to the Governour of ſuch Territory where ſuch default ſhall be, if ſeized there, otherwiſe that third alſo to the King, the other third to him that will ſeize or ſue for the ſame. Commanders at Sea having Commiſſion from the King, are to bring in as prize, Veſſels offending contrary hereunto: and in caſe of condemnation, one Moiety ſhall be to the uſe of ſuch Commanders and their Companies, to be divided according to the Rules of the Sea in caſe of Prize, the other Moiety to the King.

LXIV. No Alien ſhall be a Merchant or Factor in any the ſaid places, on pain to loſe all his Goods or which are in his poſſeſſion, one third to the King, another third to the Governour of the Plantation, and the other third to any that will ſue in any the King's Courts there. All that ſhall be made Governours of ſuch Plantations ſhall before their entrance into their Government take an Oath to do their utmoſt, that the Clauſes afore-mentioned

be duly obſerved: and upon complaint to the King, or ſuch as he ſhall thereto appoint, that ſuch Governours have been wittingly negligent therein, the Governours ſo offending ſhall be removed.

LXV. No Goods of the growth and manufacture of *Africa*, *Aſia* and *America*, ſhall be imported into *England*, *Ireland*, or *Wales*, Iſles of *Gernſey* or *Jerſey*, or Town of *Berwick*, in other Veſſels than *ut ſupra*, with Maſter and Mariners *ut ſup.* on pain to forfeit all ſuch Goods and Veſſel: one Moiety whereof to the King, the other to him that will ſeize or ſue for the ſame.

LXVI. No Goods of forein growth or manufacture brought into *England*, *Ireland*, *Wales*, *Gernſey*, *Jerſey*, or Town of *Berwick*, in *Engliſh* or other Shipping belonging to ſome of the aforeſaid places, and Navigated as aforeſaid, ſhall be brought from other places than thoſe of the ſaid growth or manufacture, or from thoſe Ports where they can only, or uſually have been ſhipped for Tranſportation, on pain to forfeit ſuch Goods and the Veſſel: one Moiety whereof to the King, the other Moiety to him that will ſeize or ſue for the ſame.

LXVII. Dried or Salted-fiſh uſually caught by the People of *England*, *Ireland*, *Wales*, and Town of *Berwick*, Cod-fiſh or Herring, Oil or Blubber made of any Fiſh, Whalefins or Whalebones, imported into *England*, *Ireland*, *Wales*, or Town of *Berwick*, not having been caught in Veſſels belonging thereto, and the Fiſh cured and dried, and the Oil and Blubber (which ſhall pay as Oil) not made by the People thereof, ſhall pay double Aliens Cuſtom.

LXVIII. None ſhall load in any Bottom, wherof Strangers are Owners, Part-owners, or Maſter, and whereof three fourths of the Mariners at leaſt are not *Engliſh*, any Goods whatſoever from one Port or Creek of *England*, *Ireland*, *Wales*, *Gernſey*, *Jerſey*, or Town of *Berwick*, to another Port or Creek of the ſame, on pain to forfeit ſuch Goods and Veſſel, one Moiety to the King, the other to him that will ſeize or ſue for the ſame.

LXIX. Where any abatement or priviledge is given in the Book of Rates, to Goods imported or exported in Shipping built in *England*, *Ireland*, *Wales*, *Gernſey*, *Jerſey*, or Town of *Berwick*, or any the King's Territories in *Aſia*, *Africa* and *America*, it is to be underſtood that the Maſter and three fourths of the Mariners be alſo *Engliſh*: and where that is required, the meaning is, that they ſhall be ſuch during the whole Voyage, unleſs in caſe of ſickneſs, death, or being taken Priſoners, to be proved by Oath of the Maſter.

LXX. No Goods of the growth or manufacture of any Countries belonging to the Duke of *Muſcovy*, no Maſts, Timber or Boards, no forein Salt, Pitch, Tar, Rozin, Hemp, Flax, Raiſons, Figs, Pruins, Olive-Oils, no Corn, Grain, Sugar, Pot-aſhes, Wines, Vinegar, Aquavite, or Brandy-Wine, ſhall be imported into *England*, *Ireland*, *Wales*, or Town of *Berwick* in any Veſſel not belonging to the People

People of ſome of them, and Navigated as aforeſaid. No Goods of the growth or manufacture of the *Turkiſh* Empire ſhall be imported into any the places aforeſaid, in any Veſſel not of *Engliſh* built and navigated as aforeſaid, except Veſſels of the built of that place, of which the Goods are, or of ſuch Port where they can only be or uſually are Shipped: and whereof the Maſter and three fourths of the Mariners are of the ſaid Country: on pain to forfeit Ship and Goods to be diſpoſed as aforeſaid

LXXI. All Wines of the growth of *France* or *Germany* which ſhall be imported into the places aforeſaid in any other Veſſel than which doth belong to *England*, *Ireland*, &c. and is Navigated as aforeſaid, and all Maſts, Timber, or Boards, foreign Salt, Pitch, Tar, Rozin, Hemp, Flax, Raiſins, Figs, Pruins, Olive-Oils, all ſorts of Corn or Grain, Sugar, Pot-aſhes, Brandy-wine or Aquavite, Wines of the growth of *Spain*, the *Canaries* or *Portugal*, *Madera* or Weſtern Iſlands, and all Goods of the growth and manufacture of *Muſcovy* or *Ruſſia*, all Currants and *Turkiſh* Commodities, imported into any the aforeſaid places, in other than ſuch Shipping and ſo Navigated, ſhall be deemed Aliens Goods, and pay accordingly.

LXXII. No forein built Veſſel ſhall paſs as a Ship to *England*, *Ireland*, *Wales*, or Town of *Berwick* belonging, till the Owners make appear to the chief Officers of the Cuſtoms in the Port next to the place of his abode, that he is not an Alien, and take an Oath before ſuch chief Officer, that it was *bona fide* bought, expreſſing the ſum given, and the time, place and perſons of whom it was bought, and who are his Part-owners, (if he have any) all which ſhall be liable to take the ſaid Oath before the chief Officer of the Cuſtoms in the Port next to the place of their abode, and that no Foreiner hath any ſhare therein, and upon ſuch Oath receive a Certificate under the Hand and Seal of the ſaid Officer. The ſaid Officer ſhall keep a Regiſter of ſuch Certificates, and return a Duplicate thereof to the chief Officers of the Cuſtoms of *London*, for thoſe granted in *England*, *Wales*, and *Berwick*, and to the chief Officers of the Cuſtoms at *Dublin*, for thoſe granted in *Ireland*, with the names of the perſons of whom ſuch Ship was bought, the ſum paid, and the names of the Part-owners.

LXXIII. If any Officer of the Cuſtoms allow the priviledge of an *Engliſh* built Ship to any Forein built Ship till ſuch Certificate produced or Proof made, or to any *Engliſh* or other built Ship, until examination, whether the Maſters and three fourths of the Mariners be *Engliſh*, or to any Forein built Ship bringing in the Commodities of the growth of the County where it was built, the priviledge by this Act given, till examination whether it be of the built of that Country, and the Maſter and three fourths of the Owners be of that Country: or if any Governour of any

Territores in *Africa*, *Asia*, or *America*, ſuffer any Forein built Veſſel to load or unload Goods till ſuch Certificate produced and examination made, ſuch Officer of the Cuſtoms and Governour ſhall be put out of their places.

LXXIV. Commodities of the Streights may be imported from the uſual places of lading them, and *East-India* Commodities from the uſual places of lading them in any part to the Southward and Eaſtward of *Cabo bona ſperenza*, though they are not the very places of their growth. The People of *England*, *Ireland*, *Wales*, *Gernſey*, *Jerſey*, or Town of *Berwick* may bring in from *Spain* or *Portugal*, *Azores*, *Madera*, or *Canary* Iſlands all Commodities of the growth or manufacture of either of them reſpectively.

LXXV. This Act ſhall not extend to Bullion nor Goods taken by Repriſal by Ships belonging to *England*, &c. and Navigated as aforeſaid, and having Commiſſion from the King, nor to lay Aliens duties on any Corn of *Scotland*, Salt made there, or Fiſh caught and cured by the People of *Scotland*, and imported in *Scotch* built Ships, and whereof three fourths of the Mariners are his Majeſties Subjects, nor to ſeal Oil of *Ruſſia* imported from thence into *England*, *Ireland*, *&c.* in ſhipping to the ſaid places belonging, and Navigated as aforeſaid.

LXXV. Every Veſſel belonging to any Subjects of the *French* King lading or unlading in any Port, Road, &c. in *England*, *Ireland*, *Wales* or Town of *Berwick*, any Goods, or taking in or ſetting on ſhoar any Paſſengers, ſhall pay for every Tun of its burthen 5 *s.* this Duty ſhall continue as long as a Duty of 50 *s. per* Tun or any part thereof ſhall be collected of the Shipping of *England* lading in *France*, and three Months after.

LXXVI. No Sugars, Tobacco, Cotton-wool, Indicoes, Ginger, Fuſtick, or other Dying-wood of the growth of any *Engliſh* Plantations in *America*, *Aſia*, or *Africa*, ſhall be tranſported to any place, other than to ſome *Engliſh* Plantation, or to *England*, *Ireland*, *Wales*, or Town of *Berwick*, on pain to forfeit them or the value and the Ship with her Furniture, one Moiety to the King, the other to him that will ſeize or ſue for the ſame.

LXXVII. For every Veſſel which ſhall ſet out from *England*, *Ireland*, *Wales*, or Town of *Berwick*, for any of the ſaid Plantations, Bond ſhall be given with one ſurety to the chief Officers of the Cuſtom Houſe of the place from whence it ſails, of 1000 *l.* if the Ship be leſs than of the burthen of 100 Tuns: and of 2000 *l.* if of greater burthen, that if the ſaid Veſſel load any of the ſaid Commodities at ſuch Plantations, it ſhall bring them to ſome Port of *England*, *Ireland*, *&c.* and for all Ships coming from any other Port to thoſe Plantations, the Governours, before the Ship be permitted to load, ſhall take Bond as aforeſaid, that it ſhall carry them to ſome other *Engliſh* Plantations, or to *England*, *Ireland*, *&c.* and every Ship taking on board any of the aforeſaid Goods, before ſuch

Bond

Bond given or Certificate produced from ſome Cuſtom-Houſe in *England*,&c. of ſuch Bonds there given, ſhall be forfeited to be employed and recovered *ut ſupra*; and the ſaid Governours ſhall twice in every year return true Copies of ſuch Bonds to the chief Officers of the Cuſtom in *London*. *Confirmed* 13 *Car.*2.*Cap.*14.

LXXVIII. **Stat.** 13 *Car.*2. *Cap* 9. For the better government of the King's Ships of War and Forces by Sea, theſe Orders ſhall be obſerved, *viz.*

1. Officers ſhall cauſe the Worſhip of God according to the Liturgy of the Church of *England* to be perform'd in their Ships, and Prayers and Preachings by the Chaplains in Orders, and that the Lords-day be obſerved. 2. They that uſe unlawful Oaths, Curſings, Execrations, Drunkenneſs or Uncleanneſs, &c. ſhall be fin'd, impriſon'd, or otherwiſe puniſhed as the Court Martial ſhall think fit. 3. If any give or entertain Intelligence, to or with Enemies or Rebels without leave from the King, Admiral, Vice-Admiral, or Commander in chief of any Squadron, they ſhall ſuffer death. 4. If any Letter or Meſſage come from an Enemy to an inferiour Officer or other perſon, and he acquaint not his Superior with it within twelve hours, having opportunity, or if a ſuperior Officer acquainted or receiving a Letter, &c. from ſuch Enemy or Rebel in perſon, do not in convenient time reveal it to the Admiral, Vice-Admiral, or Commander of the Squadron, ſuch perſons ſhall ſuffer death, or ſuch impriſonment as a Court Martial,&c. 5. Relieving an Enemy or Rebel ſhall be puniſhed with death, or as a Court Martial, &c. 6. All Writings found aboard any Prize ſhall be ſent up entirely to the Court of Admiralty, or Commiſſioners appointed for that purpoſe, on pain of loſs of the Takers ſhares, and ſuch farther puniſhment as a Court Martial,&c. 7. None ſhall take any Goods out of any Ship ſeized for Prize till Judgment in the Admiralty, on pain of ſuch puniſhment as a Court Martial or Court of Admiralty ſhall impoſe; except Goods upon and above the Gundeck, other than Arms, Ammunition, Tackle, Furniture and Stores of the Ship. 8. None ſhall ſteal or imbezel any of the Ships Furniture or Ammunition on pain of Death, or as a Court Martial,&c. 9. If a Ship taken as Prize make no reſiſtance, none of the Captains, Maſters or Mariners being Foreiners ſhall be evil intreated on pain of double damages. 10. Commanders, who upon likelyhood of Engagement ſhall not put things in a poſture for Fight, and encourage their Men, ſhall be caſhier'd: if they yield or cry for Quarter, they ſhall ſuffer death or ſuch puniſhment as the offence deſerveth. 11. All ſhall obſerve the Commands of the Admiral or other their Superiors on pain of death, or ſuch puniſhment,&c. 12. Officers and others that in the time of Fight do not their utmoſt to endamage the Enemy, Pirate, or Rebel, and to relieve the King's Ships ſhall ſuffer death, or as a Court Martial, &c. 13. Captains,&c. appointed for Convoy, that ſhall not defend the Ships in their Convoy, or that ſhall exact Mony from

them belonging to Subjects, ſhall make reparation as the Court of Admiralty ſhall adjudge, and ſuffer death or ſuch other puniſhment as the Court Marſhal, &c. 14. Whoever ſhall forbear to purſue an Enemy, Pirate or Rebel flying or beaten, or to relieve a known Friend in view, ſhall ſuffer death, or as a Court Matial, &c. 15. None ſhall put backward or diſcourage ſervice and Action commanded on any pretence of Wages, upon pain of death. 16. All that turn to the Enemy, &c. and either run away with their Ship, Ammunition, &c. or yield it up to the Enemy, &c. ſhall ſuffer death. 17. All that deſert their Employments, run away or entice others ſo to do, ſhall ſuffer death. 18. All Spies ſhall be puniſhed with death. 19. None ſhall utter words of Sedition or Mutiny, nor make or endeavour any mutinous Aſſemblies on pain of death. 20. None ſhall conceal traiterous or mutinous Practices or Words, nor Words to the prejudice of the King or Government, nor Words or Practices tending to the hindrance of the Service, but reveal them to their Superior, on pain of ſuch puniſhment as a Court Martial, &c. 21. None ſhall quarrel with his Superior on pain of ſevere puniſhment, nor ſtrike any ſuch on pain of death, or as a Court Marſhal, &c. 22. For unwholſomneſs of Victuals or other juſt ground, Complaint ſhall be made by each to his Superior, &c. but none ſhall privately attempt to make diſturbance, on pain of ſuch puniſhment as a Court Martial, &c. 23. None ſhall quarrel or fight, or uſe provoking Speeches on pain of Impriſonment, or as a Court Martial, &c. 24. There ſhall be no waſtful expence nor embezelment of any ſtores in the Fleet on ſuch penalties by Fine Impriſonment or otherwiſe upon the Offenders, Abettors, Buyers and Receivers, as a Court Martial, &c. 25. They through whoſe default any of the King's Ships are ſtranded, ſplit or hazarded, ſhall be fined and impriſoned, or otherwiſe puniſhed as a Court Martial &c. 26. They that wittingly ſet fire on any Ship or other Veſſel, their ſtore or furniture, not appertaining to an Enemy or Rebel, ſhall die. 27. No man ſhall ſleep on his Watch or negligently perform his duty, or forſake his ſtation on pain of death, or as a Court Martial. 28. Murthers and wilful killing ſhall be puniſhed with death. 29. Robbery and Theft ſhall be puniſhed with death, or as a Court Martial, &c. 30. No Provoſt-Martial ſhall refuſe to receive any Priſoner, nor ſuffer him to eſcape on pain of ſuch puniſhment as ſhould have been inflicted on the party, or as a Court Martial, &c. 31. All ſhall endeavour to apprehend Offenders, and aſſiſt the Officers thereto appointed, on pain of ſuch puniſhment as a Court Martial, &c. 32. Sodomy and Buggery ſhall be puniſhed with death, without Mercy. 33. All Miſdemeanors not here mentioned ſhall be puniſhed according to the Laws and Cuſtoms uſed at Sea. 34. The Admiral may grant Commiſſions to Vice-Admirals and Commanders of Squadrons to call Courts Martial of Commanders and Captains. No Court Martial ſhall inflict death that conſiſts of leſs than five Captains; the Admirals Lieutenant ſhall be as a

Captain

Captain for this purpoſe. No execution of any Sentence of death by virtue of theſe Articles (except in caſe of Mutiny) ſhall be without leave of the Admiral, if the offence be committed within the narrow Seas; and if elſewhere, not without order of the Commander of that Squadron, where the Sentence paſſed. 35. The Judge-Advocate, and in his abſence whom the Court Martial ſhall appoint, may adminiſter an Oath in order to the Examination or Trial of theſe Offences. 36. This Act ſhall give Juriſdiction only for ſuch of the Offences aforeſaid, as ſhall be done upon the main Sea, or in Veſſels hovering in the main Stream of great Rivers, only beneath the Bridges, nigh to the Sea, within the Juriſdiction of the Admiralty, and only by perſons in ſervice and pay in the Fleet, or Ships of War.

LXXIX. **Stat.** 13 & 14 *Car.* 2. *Cap.* 11. Whereas it is required by the Statute of 12 *Car.* 2. *Cap.* 18. that in ſundry caſes the Maſter and three fourths of the Mariners are to be *Engliſh*; any of the King's Subjects of *England*, *Ireland*, and his Plantations, are to be accounted *Engliſh* and no others, and the number of Mariners accounted according to what they ſhall have been during the whole Voyage.

LXXX. **Stat.** 19 *Car.* 2. *Cap.* 11. An Act to make Prize-Ships taken during the late War with *France*, *Holland*, and *Denmark*, and condemn'd in the Admiralty, free for Trade. *See Prize.*

LXXXI. **Stat.** 22 & 23 *Car.* 2. *Cap.* 11. Where any Goods ſhall be laden on board any *Engliſh* Ship, of the burthen of 200 Tuns or upwards, and mounted with ſixteen Guns or more, if the Maſter yield up ſuch Goods to any *Turkiſh* Veſſels, or any Pirates, without Fighting, he ſhall upon proof thereof in the Admiralty, be incapable of taking charge of any *Engliſh* Veſſel as Maſter or Commander: and if he take upon him ſuch charge ſhall be impriſoned ſix Months by Warrant from the ſaid Court. And if they that take ſuch Goods, give back the Ship or pay the Maſter any Mony or Goods for fraight, or other gift or reward, the Goods or Mony ſo given, or value thereof, and the Maſters part of ſuch Ship, ſhall be liable to repair the perſons, whoſe Goods were ſo delivered or taken, by Action in the Admiralty: all which if they be not ſufficient, the reparations ſhall be recovered on the Maſters part, to be divided *pro rata*, and the perſons endamaged to have their Actions againſt the Maſter for the remainder.

LXXXII. No Maſter of an *Engliſh* Ship diſcovering any Ship to be a *Turkiſh* Ship or Pirate, ſhall depart out of his own Ship upon any pretence whatſoever. Maſters of *Engliſh* Ships, though not of the burthen aforeſaid, nor mounted as aforeſaid, that ſhall yield to *Turkiſh* Ship or Pirate (not having at leaſt his double number of Guns) without Fighting, ſhall be liable to all the Penalties of this Act.

LXXXIII. Upon Proceſs out of the Admiralty, Commanders of the King's Ships of War, or other *Engliſh* Ships, may ſeize ſuch

Ships or Maſters, and bring them in cuſtody into any Port to be proceeded againſt.

LXXXIV. Mariners and other inferior Officers refuſing to fight when commanded, or uttering words to diſcourage others, ſhall loſe all their Wages due, and ſuch Goods as they have in the Ship, and be impriſoned not exceeding ſix Months, and during ſuch time, be kept to hard labour for their maintenance.

LXXXV. Maſters of Ships that have been yielded contrary to their will, by the diſobedience of the Mariners, teſtified by laying violent hands on them, ſhall not become incapable as aforeſaid, nor liable to any Action for the Merchants loſſes, unleſs they have received back from the Takers ſome recompence.

LXXXVI. Mariners laying violent hands on their Commanders to hinder them from fighting in defence of their Ships, ſhall ſuffer death as Felons.

LXXXVII. When any *Engliſh* Ship ſhall have been defended by fight, and brought to her Port, in which Fight any of her Men have been wounded, the Judge of the Admiralty, or his Surrogate, or of the Vice Admiralty where the Ship ſhall arrive, upon Petition of the Maſter and Seamen, may call ſo many as he ſhall be informed to be Adventurers or Owners, and by advice with them, levy upon the reſpective Owners and Adventurers ſuch ſums as himſelf with the Major part of them then preſent ſhall judge reaſonable, not exceeding two *per Cent.* of the Ship and Goods, according to the Envoyce, or by Oath of the Owner, Factor, &c. which Mony ſhall be paid to the Regiſter of the ſaid Court, who ſhall receive three pence in the Pound for the ſame, to be diſtributed among the Captain, Maſter, Officers and Seamen, or the Widows and Children of the ſlain, according to the direction of the Judge, with approbation of three or more of the Owners or Adventurers.

LXXXVIII. If the company of any *Engliſh* Merchants Ship take a Ship which ſhall firſt have aſſaulted them, the Officers and Mariners thereof after condemnation, ſhall receive ſuch ſhare as is practiced in private Men of War.

LXXXIX. Captains, Maſters, Mariners, &c. wilfully deſtroying the Ship to which they belong, or procuring the ſame to be done, ſhall ſuffer as Felons.

XC. **Stat.** 22 & 23 *Car.* 2. *Cap.* 26. The word *Ireland* ſhall be left out of all Bonds taken in purſuance of the Statute of 12 *Car.* 2. *Cap.* 18. *v. ſub. Sect.* LXXVII.

XCI. Every Veſſel that ſhall take on Board any of the Commodities there mentioned, at any of the ſaid *Engliſh* Plantations, until ſuch Bond given or Certificate produced from the Officers of ſome Cuſtom-Houſe in *England*, *Wales*, or Town of *Berwick*, that ſuch Bond hath been there given, or which ſhall carry the ſaid Goods to any place contrary to the tenor of ſuch Bond, ſhall be forfeited, with all her Guns, Ammunition, Furniture and Lading, one Moiety

to

to the King, the other Moiety to him that will ſeize or ſue for the ſame in any of the ſaid Plantations, in the Court of the High-Admiral of *England*, or Vice-Admiral, or any Court of Record in *England*.

XCII. The Governours of his Majeſties Plantations in *America* ſhall once a year at leaſt return to the Officers of the Cuſtom-Houſe in the Port of *London*, or ſuch as the King ſhall appoint to receive the ſame, a Liſt of ſuch Veſſels as ſhall lade any of the ſaid Commodities in ſuch Plantations, and of ſuch Bonds taken: and if any Ship belonging to any of the ſaid Plantations having on board any Sugars, Tobacco, Cotton-wool, Indicoes, Ginger, Fuſtick, or other Dying-Wood, ſhall unlade it in any other place of *Europe*, than *England*, *Wales*, or Town of *Berwick*, ſuch Veſſel ſhall be forfeited with her Ammunition, Furniture and lading, to be recovered and divided as aforeſaid.

XCIII. Any perſon may proſecute ſuch Ship in any Court of Admiralty in *England*.

XCIV. *Tangier* ſhall not be taken to be a Plantation within the meaning of this Act or 15 *Car.*2. *Cap.*7. or 12 *Car.*2. *Cap.*18.

XCV. This Act ſhall continue for nine years, and to the end of the Seſſion of Parliament then next enſuing. Continued 1 *Jac.*2. *cap.*17. for ſeven years, and to the end of the firſt Seſſion of the next Parliament.

XCVI. Stat. 1 *Jac.*2 *cap.*18. All Forein built Veſſels bought and brought into this Kingdom, and employed in carrying any Merchandize from Port to Port, for every Voyage ſhall pay to the King, his Heirs, &c. at the Port of delivery of their Lading (before delivery) beſides all Duties now paid, or that ſhall be payable by *Engliſh*-built Ships, 5 *s. per* Tun; one Moiety to the uſe of the Cheſt at *Chatham*, the other Moiety to the Maſter, Wardens, &c. of *Trinity*-Houſe of *Debtford-Strond*, for the Relief of decayed Seamen, &c.

XCVII. All Forein Ships (not free) belonging, or pretended to belong to *Engliſh* Owners, and tranſporting Coals or other Goods from Port to Port in *England*, for every Voyage ſhall pay after *Michaelmaſs*, 1689. 12 *d. per* Tun, beſides the Duties now paid, or that ſhall be payable by *Engliſh*-built Ships, to be diſpoſed of by Moieties as aforeſaid, and to be collected in manner aforeſaid.

XCVIII. His Majeſty ſhall have the ſame remedy for receiving and recovering the ſaid Duties, that are provided in the Act of Tunnage and Poundage.

XCIX. The ſaid Duties ſhall not be let to Farm.

Silk, and Silk-throwing.

* I. Stat. 19 *H.*7.21. None ſhall bring, or cauſe to be brought into *England* any Silk wrought (by it ſelf or with other ſtuff) out of *England* in Ribbon, Laces, Girdles, Cauls, Corſes, Tiſſues, or Points, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the Seiſor or Proſecutor: But all other Silk (both wrought and raw) may be imported and ſold at pleaſure.

* II. Stat. 13 & 14 *Car.* 2. *Cap.* 15. None ſhall exerciſe the Trade of a Silk-thrower, unleſs ſuch as have ſerved ſeven years Apprenticeſhip thereto, on pain to forfeit 40 *s.* for every Month, the one half to the King, the other to him that will ſue in any Court of Record, or before the Juſtices of *Oyer* and *Terminer* or Juſtices of the Peace at their Quarter-Seſſions.

III. All that now uſe as Maſters the ſaid Trade, or have ſerved as Apprentices to it ſeven years in *London* and *Weſtminſter*, or within twenty Miles compaſs of them, ſhall enter themſelves before the 25*th* of *December* 1662. in the Company of Silk-throwers in *London*, on pain to forfeit 40 *s.* for every Month they uſe the Trade after that time, one half to the King, the other to him that will ſue in any Court of Record, or before the Juſtices of *Oyer* and *Terminer*, or Juſtices of the Peace at their Quarter-Seſſions.

IV. The Maſters, Wardens, Aſſiſtants and Commonalty of the ſaid Company may execute within the Precinct aforeſaid all Authorities granted by this Act, or their Letters Patents of Incorporation.

V. Silk-winders and Doublers purloyning, embezelling, pawning, ſelling, or detaining Silk delivered to them to wind or double; they and their Journey-men, Buyers and Receivers of ſuch Silk, being convicted by confeſſion or oath of one Witneſs before a Juſtice of Peace or chief Officer of the City or Town Corporate where, &c. ſhall make ſuch recompence for damages and charges, not exceeding what the party grieved ſhall prove he is endamaged and has expended, as the ſaid Juſtice, or, &c. ſhall appoint: and in default of ſatisfaction within 14 days after conviction, ſhall be whipped or ſet in the Stocks.

VI. Freemen of the Company may employ Native Subjects and no others to double and wind Silk, though they have not ſerved ſeven years as Apprentices.

VII. The Corporation ſhall not by virtue of this Act make Ordinances to ſet rates on Throwing of Silk.

VIII. Stat. 20 *Car.* 2. *Cap.* 6. A By Law made by the Company of Silk-throwers in *London*, ſtinting the Freemen of the ſaid Company not to work with above a hundred and ſixty Spindles at one time, and the Aſſiſtants with above two hundred and forty, ſhall

be

be null and void; and the Company disabled from making any By-Law, which shall limit the number of the Utensils about the said Mystery.

IX. No By-Law made or to be made by the said Company, shall confine any Freeman to take a less number than three Apprentices at any time.

Southampton.

I. Stat. 11 *H.* 7. 5. Every man may pull down the Wears and Engines in the Haven of *Southampton*, between *Calshord* and *Rebridge*; and whosoever levieth any other there, shall pay 100 *l.* to the King.

II. Stat. 14 & 15 *H.*8.13. A confirmation of 11 *H.* 7. 5. and the same made perpetual.

III. Stat. 4 *Jac.* 1. 10. An Act was made for the confirmation of some part of a Charter granted by *H.* 6. to the Mayor, Bailiffs and Burgesses of *Southampton*, and for the relief of the Town. *See the Statute at large.*

Southwark.

I. Stat. 29 *Car.* 2. *Cap.* 4. The Justices of the King's Bench, Common-pleas and Barons of the Coif of the Exchequer, the Lord Mayor of *London* and Recorder for the time being, and every Alderman that hath been Lord Mayor, the Steward of *Southwark*, *Fr.* Visc. *Longford*, Sir *Fr. Vincent* Baronet, Sir *Adam Brown* Baronet, Sir *William More* Baronet, Sir *Edmund Boyer* Knight, Sir *William Howard* Knight, and others, (*whose Names see in the Act at large*) or five of them, whereof one of the said Justices or Barons to be one, are hereby constituted a Court of Record, and may summarily at their discretions, hear and determine all differences arisen or which may arise concerning the building or not building the Houses, &c. burnt down by a Fire hapning in *Southwark* on the 26*th* of *May* last past, or concerning the payment or abating any Rents, (other than Arrears due on or before the 25*th* of *March* 1676,) &c. and all incidents relating thereunto; the definitive Order of the said Court to be final against all claims precedent thereunto, without appeal or review other than is hereafter expressed.

II. The said Court may order the surrendring, increasing, abridging, ceasing or charging any Estates in the premisses, or new Estates to be made to late Occupiers or others that will build, if they refuse, at such rent or fine as they think fit: such Decrees to conclude notwithstanding any disability, Estate tail, right of the Church, or other Corporations, &c.

III. Upon

III. Upon Petition made to the ſaid Court in Writing, any three of the perſons authorized in Court or out of Court may ſummon the Parties, and Witneſſes, to appear at a day, and upon appearance or default of ſuch perſons, upon Oath made of ſuch ſummons being ſerved, (the ſervice to be ſuch as is allowed to be good in caſes of *Subpœna*) the Court may proceed to determine the controverſie: ſaving, that when perſons to be ſummon'd, are beyond Sea at the time of iſſuing of ſuch Summons, or cannot be found, that no proceedings be thereupn till ſix Months after: and then upon Oath of endeavouring to ſerve the ſaid Summons, the Court may proceed, unleſs the perſons upon a new Summons after their return or being found ſhall appear ſooner.

IV. If the perſons intereſted ſhall not lay the foundations of their Houſes within two years after the 25*th* of *March* next, and within the time to be limited by the ſaid Court finiſh the ſame, the Court may diſpoſe of the ſoil to ſuch as will build, and award ſatisfaction to the Proprietors: who if they will not, or through ſome diſability cannot accept thereof, the Court by Warrant to the chief Bailiff of *Southwark* may impannel a Jury, to aſſeſs ſuch recompence as they think fit, upon payment whereof or tender and refuſal, the ground to remain to the Builder according to the Decree of the Court.

V. Orders made by fewer than ſeven of the perſons authorized, upon exceptions preſented in writing within thirty days after they are made, to any of the Judges or Barons aforeſaid, and there ſubſcribing that they find probable cauſe of complaint, may be reviewed. revers'd, affirm'd, enlarged, or otherwiſe altered, and coſts given againſt the Appellants, by any ſeven or more of the Juſtices and Barons, and other perſons authorized, other than ſuch as have made the ſame.

VI. Such Appeals to be finiſhed within ſix Months after delivery of the Exceptions, or ſtand diſcontinued.

VII. No Writ of Error or *Certiorari* ſhall be allowed to reverſe or remove the ſaid Orders and Decrees.

VIII. The ſaid Judgments, Orders and Decrees ſhall be entred in Books of Parchment, and ſubſcribed by thoſe that made them: the Books to be delivered to the Town Clerk of *London*, to be kept among the Records of the City; and perſons concerned ſhall have liberty to peruſe and take Copies thereof: the Authorities given by this Act to continue three years from the ſaid 25*th* of *March*.

IX. All perſons conſtituted Judges of the ſaid Court, other than the Juſtices of the one Bench or other, and Barons of the Coif of the Exchequer, before they execute the Authorities here mentioned, ſhall take this Oath before the Lord Mayor of *London*, *viz.*

I do hereby ſwear, That I will juſtly and truly execute the powers and authorities in this Act contained, and according to the beſt of my

my knowledge, without favour or affection to any of the parties concerned. So help me God.

Five of the persons so constituted, after they have taken the said Oath, may administer it to the Lord Mayor.

X. Encroachments and Purprestures on the High-street, and from the Foot of the Bridge to *Compter-Lane*, shall be reform'd by the said Court: saving to the Inhabitants of the High-streets power to suffer their Stall-boards, when their Shop-Windows are open, to extend one Foot into the Street.

XI. Differences concerning Party-walls and other Walls, stopping up Lights, Ways, Water-courses, &c. shall be ordered by the Court, and satisfactions awarded to persons damnified.

XII. The Court may order such Fees for such Officers as they think necessary to attend the Court, which shall be hung up in some publick place.

XIII. Any of the Persons so constituted may take *Affidavits* in Court and out of Court, concerning serving Process: persons committing Perjury therein may be proceeded against as for other Perjury at the Common Law.

XIV. If any of the said Persons present at the making any Decree, shall dye before he sign it, the signing of it by the survivors shall be effectual.

XV. Nothing in this Act shall extend to alter or avoid any Lease or Contract made since the Fire: but any such Builder may have the Decree of the Court for corroborating the same, if he desire it.

XVI. No person hereby constituted Judge of the said Court, shall have a vote or place there, when himself is a party, but shall withdraw during the debate.

XVII. Where any is decreed to build, seal a Lease or give security, &c. persons concerned, in default thereof, may by Action upon the Case in any Court of Record at *Westminster* recover damages for Non-performance, or maintain a Bill in Equity for a performance *in specie*: and Persons ordered to abate any Annoyance or Purpresture, and neglecting the same, may be indicted for such contempt.

XIX. Where any Persons shall be decreed to pay Mony, persons concerned, upon Non-payment may have an Action at Law for the same and give the Decree in Evidence.

XX. In Suits for any thing done in pursuance of this Act, the Defendants may plead the General Issue, and upon any Issue joyned may give the special matter in Evidence; and if the Plaintiff discontinue or Judgment pass against him, the Defendant shall have double Costs.

XXI. *Southwark*-Market shall be kept where and when it hath been and is kept, and not removed to any other place, nor held at any other time.

Spice.

I. **Stat.** 1 *Jac.* 1. 19. All Spice, Drugs, and other Merchandize garbleable, ſhall (for the Fees uſually allowed) be ſufficiently cleanſed and garbled, and afterwards ſealed by the Garbler (thereto appointed) or his Deputy, before they be ſold, in pain to forfeit them, or the value thereof: Alſo ſuch as after garbling ſhall be again mixed with Garble, ſhall likewiſe be forfeit.

II. It ſhall be lawful for the ſaid Garbler to ſearch in Shops, Cellars, Ware-houſes, and other places, for Wares ungarbled, and if he find any ſuch, to cauſe them to be garbled.

III. The forfeitures of this Act are to be divided betwixt the King and the Proſecutor.

IV. Spices or other garbleable Merchandize imported, and afterwards within eight Months exported without being ſold or garbled, ſhall not be within the danger of this Act.

Spiritual Laws.

I. **Stat.** 13 *El.* 12. Every Spiritual Perſon (under the degree of a Biſhop) pretending to be a Prieſt or Miniſter of the Word by any other form of Inſtitution or Conſecration than that eſtabliſhed by *Edw.* 6. or now uſed, ſhall before *Chriſtmaſs* next (in the preſence of the Biſhop, or Guardian of the Spiritualties of the Dioceſs where he hath his Benefice) declare his aſſent, and ſubſcribe to the Articles of Religion put forth by the Queens Authority, and ſhall bring from ſuch Biſhop or Guardian under his Seal a Teſtimonial thereof, and publickly (on ſome *Sunday* at Evening-Prayer) where his Benefice is, read the ſaid Teſtimonial and Articles, in pain to be *ipſo facto* deprived of all his Spiritual Promotions, as if he were dead.

II. If any Eccleſiaſtical perſon (having a Benefice) ſhall maintain any Doctrine repugnant to the ſaid Articles, and being therefore convented before the Biſhop, Ordinary, or High Commiſſion, ſhall perſiſt therein, or after revocation thereof ſhall affirm the ſame again, it ſhall be lawful for ſuch Biſhop, Ordinary, or High Commiſſion, to deprive him.

III. None ſhall be admitted to a Benefice with Cure, unleſs he be a Deacon, and of the age of twenty three years, and ſhall ſubſcribe the ſaid Articles in the preſence of the Ordinary, and publickly read them in the Church of his Benefice, and declare his aſſent thereunto.

IV. Every perſon hereafter to be admitted to a Benefice with Cure ſhall, within two Months after his Induction, publickly read the ſaid Articles in the Church whereof he hath the Cure, in Common-prayer-time, with Declaration of his aſſent thereunto, and be admitted to adminiſter the Sacraments within one year after his ſaid Induction, if he be not admitted before:) in pain upon every ſuch default to be deprived *ipſo facto*.

V. None

V. None ſhall be made Miniſter, or admitted to Preach, or adminiſter the Sacraments, under the age of twenty four years, nor unleſs he firſt bring to the Biſhop (from four known to the Biſhop to be of ſound Religion) a Teſtimonial of his Life and Doctrine as expreſſed in the ſaid Articles, and able to render an account of his Faith in Latin, according to the ſaid Articles, or have ſpecial gift or ability to be a Preacher: Neither ſhall any be admitted to be a Deacon or Miniſter, unleſs he firſt ſubſcribe the ſaid Articles.

VI. None ſhall be admitted to a Benefice with Cure of 30 *l. per Annum* in the Queens Books, unleſs he be a Batchelor of Divinity, or a Preacher lawfully allowed by ſome Biſhop, or one of the Univerſities.

VII. All Admiſſions, Inſtitutions, Inductions to Benefices, and all Tolerations, Diſpenſations, Qualifications and Licences whatſoever to the contrary hereof, ſhall be void in Law.

VIII. Provided, that no Title to confer or preſent by Lapſe ſhall accrue upon any Deprivation *ipſo facto*, but after ſix Months after notice of ſuch Deprivation given by the Ordinary to the Patron.

Spiritualty.

I. **Stat.** 4 *H.*4. 2. *pars inde.* The Statutes made in the 25*th* of *E.*3. touching the Clergy of *England*, ſhall be put in execution.

II. **Stat.** 4 *H.*4. 3. All Statutes, Ordinances and Grants made by the King's Progenitors (Kings of *England*) to the Clergy of *England*, for the conſervation of their Liberties and Privileges, and of the Liberties and Muniments of Holy Church, (not revoked) ſhall be firmly obſerved and put in due execution.

Stanes.

I. **Stat.** 1 *H.*8. 9. An Act concerning the maintaining of the Bridge and Cauſeys of *Stanes*, and for the gathering of the Toll there; and the Letters Patents made of the Toll there ſhall be void. *See the Statute at large.*

Staple.

I. **Stat.** 2 *E.*3. 9. All Staples ſhall ceaſe, and all Merchants may come in and go out with their Merchandize at their pleaſure, according to the Great Charter.

II. *Statute of the Staple. Cap.*1. 27 *E.* 3. The Staple of *Engliſh* Wool, Leathers, Wool-fels and Lead, ſhall be holden for *England* at *Newcaſtle* upon *Tine*, *York*, *Lincoln*, *Norwich*, *Weſtminſter*, *Canterbury*, *Chicheſter*, *Wincheſter*, *Exceter*, and *Briſtol*; for *Wales* at *Carmarthen*; and for *Ireland* at *Dublin*, *Waterford*, *Cork*, and *Drogheda*; and not elſewhere.

III. When

III. When the ſaid Merchandize is to be exported, they ſhall be firſt brought to the ſaid Staples to be weighed by the Standard; and every Sack and Sarplet of Wool ſo weighed ſhall be ſealed under the Seal of the Mayor of the Staple.

IV. The Wools ſo weighed and ſealed at *York*, *Lincoln*, *Norwich*, *Weſtminſter*, *Canterbury* and *Wincheſter*, and alſo Leather, Wool-fels and Lead which ſhall be brought thither, (the Cuſtoms of the Staple being paid) ſhall be witneſſed by Bill under the Seal of the Mayor of the Staple, and ſhall be from thence conveyed to the Ports following; *viz.* from *York* to *Hull*, from *Lincoln* to St. *Botolph*, (*alias Boſton*) from *Norwich* to Great *Yarmouth*, from *Weſtminſter* to *London*, from *Canterbury* to *Sandwich*, and from *Wincheſter* to *Southampton*; and there the Wools and Lead ſhall be again weighed by the Cuſtomers aſſigned in the ſame Ports. But the Wools and Lead brought to *Newcaſtle*, *Chicheſter*, *Exceſter*, *Briſtol*, *Carmarthen*, *Dublin*, *Waterford*, *Cork* and *Drogheda*, ſhall be once weighed by the Standard in thoſe ſeveral Ports in the preſence of the Cuſtomers there.

V. And Indenture ſhall be made at the ſaid Ports betwixt the Mayor of the Staple and the Cuſtomers there of all Wools, Lead, Leather and Wool-fels brought thither; And they alſo ſhall be there cuſtomed and cockered, and the Cuſtom thereof duly paid: which ſhalle be for Denizens half a Mark for a Sack of Wool, and as much for three hundred Wool-fels, and a Mark for a Laſt of Leather; but for Aliens; 10 *s.* for a Sack of Wool, 10 *s.* for a thouſand Wool-fels, and 20 *s.* for a Laſt of Leather, and 3 *d.* for every Sow of Lead.

VI. The ſaid Merchandize ſhall be tranſported beyond Sea from the ſaid Ports by Merchant-ſtrangers, and not by *Engliſh*, *Welſh*, or *Iriſh*.

VII. Neither the Mayor nor Cuſtomers ſhall delay any man for gain, nor take any more than appertaineth to their Offices, in pain of Impriſonment, and to anſwer the party double what is ſo taken, together with his damages occaſioned by ſuch taking or delay; and beſides they ſhall be ranſomed at the King's Will.

VIII. The Mayor of the Staple and the Cuſtomers ſhall take an Oath of all Merchants that ſo tranſport the ſaid Merchandize, that they ſhall hold no Staple thereof beyond Sea.

IX. *Cap.* 4. None going to or coming from the Staple ſhall be diſturbed by the Purveyors of the King, or any other; ſaving to the King all prices Royal, and all Carriages and Victuals, as hath been accuſtomed.

X. Every Carrier returning from the Staple ſhall have a Bill under the Mayors Seal, teſtifying that he ſerveth the Staple, and containing his Journeys home, which Bill ſhall be freely granted; and the Mayor ſhall be ſworn to give no Bills to any but ſuch as ſerve the Staple.

XI. If

XI. If any thing pertaining to the Staple be ſo taken, Hue and Cry ſhall be levied after the offender by the Town where it is ſo taken, or by the next: and if it be within the Verge, the offender ſhall be puniſhed by the King's Steward and Marſhal; but if out of the Verge, he ſhall be conveyed to the Gaol, and ſuffer as a Felon, if the offence require it.

XII. If the Town and Towns be negligent to arreſt the offender, the four Towns next adjoyning ſhall anſwer the party grieved his damages, if they cannot reaſonably excuſe themſelves.

XIII. If ſuch offence be committed within the Staple, the Mayor and Miniſters of the Staple ſhall arreſt the taker, and do the party grieved right: but if the Staple be within the Verge, and the taker be one of the Court, in that caſe the Mayor and Miniſters ſhall call them to the ſaid Steward and Marſhal, or the Stewards Lieutenant to ſee right done according to the Law of the Staple. Howbeit if they come not, the ſaid Mayor and Miniſters ſhall proceed without them.

XIV. *Cap.* 5. None of the King's Juſtices ſhall take conuſance of any thing that pertains to the Staple.

XV. *Cap.* 6. None of the King's Officers ſhall meddle in the places where the Staples be holden, in pain to anſwer the party grieved quadruple damages, and be grievouſly puniſhed by the King.

XVI. *Cap.* 7. All Licences granted to *Engliſh*, *Welſh*, or *Iriſh*, to tranſport the aboveſaid Merchandize contrary to this Statute of the Staple ſhall be void.

XVII. *Cap.* 8. The Mayors and Conſtables of the Staple ſhall have Juriſdiction and Conuſance (within the Staple) of all People and things which concern the Staple; and all People coming thither ſhall be ruled by the Law-Merchant, and not by the Common Law or other Cuſtoms: So that if either Plaintiff or Defendant be of the Staple, the Action may be tried before the ſaid Officers, whether the Contract or Covenant were made within the Staple or without; but Treſpaſs there triable muſt be done within the ſaid Staple. Howbeit, Pleas that concern the King's Court ſhall be heard and determined by the Steward or his Lieutenant, and the Marſhals, together with the ſaid Mayor; and Pleas of Land and Freehold ſhall be at the Common Law.

XVIII. If Felonies or Maihems be there committed, the Mayor or other fit perſon, ſhall be aſſigned to hear and determine them according to the Common Law; and none ſhall detain ſuch an offender, in pain of 100 *l.* And Indictments found without the Staple of offences done within it, ſhall be ſent to the ſaid Mayor and Juſtices to do right therein.

XIX. When an Iſſue is to be tried before the Mayor by an Inqueſt, if the parties be both Denizens, the Inqueſt ſhall be all Denizens, and when they are both Aliens, they ſhall be both Aliens: but when the one party is a Denizen and the other an Alien, half the Inqueſt ſhall be Denizens, and the other half Aliens.

XX. *Cap.*9. The Mayor of the Staple may take a Recognizance of a Debt in the preſence of the Conſtables of the Staple, or one of them. And there ſhall be a Seal Ordained, to be remaining with the Mayor, under the Seal of the Conſtables, with which every Obligation upon ſuch Recognizance ſhall be ſealed: and for every ſuch Obligation under 100 *l.* they ſhall pay an halt-peny in the pound; but for thoſe above, only a farthing in the pound.

XXI. Upon ſuch Obligation, after default of payment, the Mayor may impriſon the Debtor, and arreſt his Goods, and ſell them to ſatisfie the Creditor. But if the Debtor be not found within the Staple, the Mayor ſhall certifie the Obligation into the Chancery, from whence ſhall thereupon iſſue a Writ againſt the Debtors perſon, Lands, Goods and Chattels, returnable into the Chancery, and thereupon due Execution ſhall be made, as is contained in the Statute-Merchant; ſo that the Creditor may have Free hold in the Debtors lands, which ſhall be delivered unto him by the ſame Proceſs, and likewiſe recovery by Writ of *Novel diſſeiſin*, if he be put out. But here the Debtor ſhall have no advantage of the quarter of a year that is contained in the ſaid Statute-Merchant.

XXII. *Cap.*15. They who have any Wools, Leather, Fells or Lead, betwixt the places where the Staples ſhall be and the Sea, and ſeem to intend to carry them to the Staple, ſhall make Indentures betwixt them and the Bailiffs of the Town where they ſhip them, teſtifying how much they have ſo ſhipt.

XXIII. The Bailiffs of ſuch places ſhall take an Oath and ſufficient ſurety of them and the Mariners, that they ſhall carry them to the Staple, and not elſewhere, and there ſhall diſcharge them before they enter the Sea.

XXIV. The ſaid Bailiffs ſhall ſend one part of the Indentures to the ſaid Mayor of the Staple (whither they intend to carry the Goods) by a Meſſenger (for whom they will anſwer) at the coſts of the Owners of the Goods. And all this the ſaid Bailiffs and Merchants ſhall do, in pain to incur the puniſhment contained in the third Article of the Statute; *which ſee in* Merchants,

XXV. *Cap.*16. In every Town where the Staple is, there ſhall be certain rows and places provided, where the Wools and other Merchandize may be put; and houſes there ſhall be ſet at reaſonable rates, to be aſſeſſed by the Mayor or Conſtable of the Staple, and four diſcreet men of the Town where the Staple is, who ſhall be ſworn to make a lawful Tax: and none ſhall be diſturbed to lodge his Merchandize in ſuch hired Houſe.

XXVI. *Cap* 18. Merchants of *Ireland* and *Wales*, who cannot ſell their Wool, Wool-fels, Leather or Lead in *Ireland* and *Wales*, may bring them to the Staples of *England*, having firſt paid Cuſtom of them in the places from whence they bring them, in reſpect whereof they ſhall not be charged with Cuſtom in *England*: Howbeit, if they carry them elſewhere, they ſhall incur the penalties of the ſaid third Article.

XXVII. The

XXVII. The Treaſurer and Barons of the Exchequer ſhall yearly (at *Eaſter* and *Michaelmaſs*) have an account what Merchandize is ſo conveyed out of *Ireland* and of the Cuſtom paid for the ſame.

XXVIII. *Cap.* 19. No Merchant or other ſhall loſe his Goods for the offence of his Servant, unleſs he did it by the command or procurement of his Maſter: and ſpeedy Juſtice ſhall be done to Merchants from day to day, and hour to hour.

XXIX. *Cap.* 20. If any wrong be offered a Merchant-ſtranger, out of the Staple, the Juſtices there ſhall do him right according to Law-Merchant, *viz.* ſpeedy Juſtice: and if any be convict thereof, he ſhall forfeit to the King as much as the Merchants damages amount unto, and ſhall pay to the Merchant double damages.

XXX. *Cap.* 21. In every Staple-Town there ſhall be a Mayor and two Conſtables eſtabliſhed, able for the Execution of their ſeveral places; and when they dye, or are changed, others ſhall be choſen in their rooms by the Commonalty of Merchants there. Howbeit, the Mayor ſhall not hold over his year, unleſs he be again choſen, (as aforeſaid) and that as well by Aliens as Denizent.

XXXI. The Mayor and Conſtables have power to keep the Peace, and to arreſt offenders there for Debt, Treſpaſs or Contract, and them to impriſon and puniſh according to the Law of the Staple; for which end a Priſon ſhall be there alſo ordain'd.

XXXII. Officers of Corporations where the Staple is, or near adjoyning thereunto, ſhall (upon command) aſſiſt the Officers of the Staple in the execution of their Offices in pain of grievous forfeiture: Alſo a Lord of moſt ſufficiency in the Country where the Staple is, ſhall be aſſigned to be aiding to them, as occaſion ſhall require, as well to reform offenders, as to redreſs miſtakes by them omitted. But the appeal for injuſtice in the Staple ſhall be to the Lord Chancellor or Privy-Council.

XXXIII. *Cap.* 22. In every Staple there ſhall be Correctors appointed, able and ſufficient men, (as well Aliens as Denizens) to record Bargains between buyers and ſellers; and they ſhall give good ſecurity before the Mayors and Conſtables, lawfully to execute their Office; and being found in default, ſhall anſwer damages to the party grieved. Howbeit, they ſhall not meddle with Merchandize during their Office. But here, none ſhall be forced to uſe a Corrector unleſs he pleaſe; nor give him any thing, unleſs he do ſomething at his requeſt.

XXXIV. *Cap.* 23. A certain number of Porters, Packers, Winders, Workers, and other Labourers of Wool and other Merchandize ſhall be ordained for the Staple, who together with the Correctors, and all other Officers of the Staple, (except the Conſtables) ſhall be ſworn before the Mayor, duly to execute their Offices: Alſo all Merchants (both Aliens and Denizens) coming thither to Merchandize, ſhall be ſworn before the Mayor and Conſtables, to be juſtified by them, and to maintain the Laws and Uſages of the

Staple: but the Mayor and Conſtables ſhall be ſworn in Chancery duly to execute their ſeveral Offices.

XXXV. *Cap.* 24. Merchant-ſtrangers ſhall chuſe two Merchant-ſtrangers, who ſhall be aſſigned (the one for the South, the other for the North) to ſit (when he pleaſe) with the Mayor and Conſtables of the Staples, to hear Plaints touching Merchants Aliens; but the Mayor and Conſtables ſhall not forbear to proceed, if they come not: Howbeit, if they come, and any debate happen to ariſe between them concerning ſuch Plaint, it ſhall be determined before the Chancellor, or the King's Council.

XXXVI. Alſo ſix other perſons ſhall be choſen, *viz.* two of *Almain*, two of *Lombardy*, and two of *England*, who ſhall be ſworn duly to execute their Offices in moderating differences amongſt Merchants concerning things of the Staple which any four of them may (by their Oaths) do before the Mayor and the Officers; and what they do therein ſhall be definitive.

XXXVII. *Cap.* 25. He that makes Confederacy or Conſpiracy, which may turn to the impeachment, diſturbance, defeating or decay of the ſaid Staples, or of any thing to them belonging, ſhall incur the Penalties ordained in the ſaid third Article.

XXXVIII. *Cap.* 28. The liberties of the Staple are confirmed, notwithſtanding any Franchiſes granted to Corporate Cities or Towns: Howbeit, other mens liberties, being in the Staple, (*viz.* to keep Fairs, Markets, and the like) are ſaved.

XXXIX. **Stat.** 28 *E.* 3. 13. The Warranty of packing of Wools, ſhall be wholly taken away, unleſs it be by Covenant under Seal.

XL. An Inqueſt for the trial of an Action in the Staple, or before other Juſtices, where an Alien is one of the Parties, ſhall be *per medietatem linguæ*, if many Aliens may be found; but if not, by ſo many as are found, and the reſt to be made up of Denizens, being no Parties or Privies.

XLI. None ſhall foreſtall Merchandize coming towards this Realm, in pain to incur the Penalties of the ſaid third Article of the Statute-Staple, &c.

XLII. No foreigners Ship ſhall be compelled to arrive in *England*, nor to tarry in any place there, againſt the good will of the Maſters, Mariners, or Merchant, unto whom the Ship or the Goods in her do belong, in pain to incur a grievous Forfeiture to the King.

XLIII. **Stat.** 36 *E.* 3. 7. Mayors and Conſtables of the Staples ſhall have only conuſance of Debts, Covenants, Contracts, and all other Pleas touching Merchandize, and the Surety thereof, betwixt Merchants known; but proceſs of Felonies and all other Pleas (as well within the Staple as without) ſhall be at the Common Law, as it was before the Statute-Staple. Howbeit, Merchant-Aliens have liberty to ſue for Debts, Treſpaſs, &c. before the Mayor, or at the Common Law, at their Election.

XLIV. The

XLIV. The King and other Lords (within their Seigniories) ſhall enjoy their Franchiſes, as they did before the Statute Staple; only the Mayor of the Staple ſhall take Recognizance as by the ſaid Statute is ordained.

XLV. **Stat.** 38 *E.* 3. *Stat.* 1. 7. The Staple ſhall be in *England*: and the Statute of the Staple, together with the Declarations, Additions and Modifications thereof, is confirmed.

XLVI. **Stat.** 12 *R.* 2. 16. The *Staples* ſhall be removed from *Middleborough* to *Calais*.

XLVII. **Stat.** 14 *R.* 2. 1. The Staples ſhall be removed from *Calais* to thoſe Towns in *England* named in the Statute of the Staple, 27 *E.* 3. 1.

XLVIII. Every Merchant-Alien ſhall beſtow the value of half his Merchandize upon Commodities of this Realm.

XLIX. **Stat.** 14 *R.* 2. 3. Officers of the Staple ſhall be firſt ſworn to the King, and then to the Staple.

L. **Stat.** 14 *R.* 2. 5. No Denizen ſhall tranſport any Wools, Woolfels, Leather, or Lead beyond Sea, in pain to forfeit the ſame.

LI. **Stat** 15 *R.* 2. 9. The Statute of the *Staple* is confirmed.

LII. The Mayor of the *Staple* ſhall take no Recognizance of Debt contrary to the *Statute*, in pain to pay half the ſum Recognized to the King.

LIII. **Stat.** 10 *H.* 6. 1. Recognizances taken before the Mayor of the *Staple* at *Calais* ſhall be effectual in *England*.

Steel.

*I. **Stat.** 2 & 3 *E.* 6. 27. None ſhall forge or ſell any Gads of Iron like in faſhion to Gads of *Steel*, in pain to forfeit 4 *d.* a Gad, to be divided betwixt the King and the Proſecutor.

Still-yard.

I. **Stat.** 19 *H.* 7. 23. All Acts, Statutes, and Ordinances made in derogation of the Merchants of the *Still yard*, (called Merchants of the Houſe in *Almain*, and having the Houſe in *London* called *Guildhalda Teutonicorum*.) or of their Liberties granted them by the Kings of *England*, ſhall ſtand (as againſt them) void and repealed. Howbeit, this Act ſhall not be prejudicial to the City of *London*.

Surveyor.

I. *Extenta Manerii*, 4 *E.* 1. Containing certain Articles to be inquired by Surveyors concerning Building, Demeſns, Foreign Paſture, Parks, Demeſn Woods, Foreign Woods, Herbage and Pannage, Mills, Fiſhing, Freeholders, Cuſtomary Tenants, Cottages and Curtilages, Perquiſites of Courts, Patronages, Liberties, Cuſtoms, Services, &c. *See the Statute at large.*

Suit.

I. *Marlb.* 9. 52 *H.* 3. None enfeoffed by Deed ſhall be diſtrained to do ſuit to his Lord's Court, unleſs he be bound to do it by the form of his Deed, or he or his Anceſtors have uſed to do it before the King's firſt Voyage into *Britany*, being about thirty nine years and an half ſince.

II. None enfeoffed from the time of the Conqueſt ſhall do it, unleſs his Anceſtors have done it before the ſaid Voyage.

III. Such as be at a Suit-fine ſhall be free from Suit, paying their Fine.

IV. The Parcener having the eldeſt part ſhall do Suit for his or her Fellows, and the reſt ſhall be contributary.

V. Alſo one Joynt-tenant or Tenant in Common ſhall do the Suit, and (if there be no mean to acquit him) the reſt ſhall contribute.

VI. If a Lord diſtrain for Suit not due, the parties (upon complaint) ſhall have an Attachment againſt the Lord to appear in the King's Court at a ſhort day, when one only Eſſoin ſhall be allowed; and the Diſtreſs ſhall be delivered to the Plaintiff, and there remain until the Plea determined.

VII. If the Lord appear not at the day, the Sheriff ſhall have command to diſtrain him by his Goods, and to have his Body before the Juſtices at another day; when, if he appear not, the Plaintiff ſhall go without day, and the Diſtreſs ſhall remain with him, until the Lord have recovered: and in the mean time no more Diſtreſſes ſhall be made: ſaving to Lords their right to recover their Suits, when they will ſue for them. But here, if the Lord be convict, he ſhall allow the Plaintiff damages.

VIII. Like Juſtice ſhall be done to Lords againſt Tenants that withdraw their Suits, as to limiting of days, and awarding of Diſtreſſes, and Damages alſo, if they recover: but Lords ſhall not recover ſeiſin of ſuch Suits againſt their Tenants by default, as they were wont to do. And as concerning Suits withdrawn, before the time above-mentioned, let the Common Law run as it was wont to do.

Swans.

I. **Stat.** 22 *E.* 4. 6. None (but the King's Son) ſhall have any mark or game of Swans of his own, or to his uſe, except he have Lands and Tenements of Freehold worth five Marks *per Annum*; beſides Repriſes; in pain to have them ſeiſed by any having Lands of that value, to be divided betwixt the King and the Seiſor.

☞ Swearing.

☞ Swearing and Curſing.

* I. **Stat.** 21 *Jac.* 20. If any ſhall Swear or Curſe within the hearing of a Juſtice of Peace, or ſhall be convicted thereof by his own confeſſion, or the evidence of two Witneſſes upon Oath before the ſame Juſtice, he ſhall forfeit 12 *d.* to the uſe of the Poor where the offence ſhall be committed, to be levied by the Conſtable, Churchwardens and Overſeers of the Poor there, (upon Warrant from ſuch Juſtice) by diſtreſs and ſale of Goods: and in default of diſtreſs, if the offender be above twelve years old, he ſhall (upon Warrant as aforeſaid) be ſet in the Stocks three hours; but if under, then ſhall he be whipped by the Conſtable, or by the Parent or Maſter in the Conſtables preſence.

II. Here, if the Officer be ſued for the due execution of his Office, he may plead the general Iſſue, and yet give ſpecial Matter in evidence.

III. This offence ſhall be complained of and proved as aforeſaid, within twenty days after it is committed: And this Act ſhall be read in the Church twice in the year, upon *Sunday* after Evening Prayer.

Tail.

I. **Weſt.** 2. *c.* 1. 13 *E.* 1. WHere Lands are given to a man and the Heirs of his Body, or to Husband and Wife, and the Heirs of their two Bodies, upon condition, that if ſuch a man, or ſuch a Husband and Wife, die without Iſſue, that then the Land ſhould revert to the Donor; or where Land is given in Frankmarriage, and ſuch a Condition is conceived to be annexed or implied: in all ſuch caſes heretofore the Feoffees (after Iſſue had) had power to alien, and to diſinherit the Iſſue, contrary to the mind of the Donors: Wherefore now it is ordained, that the Will of the giver (according to the form of the Deed of Gift manifeſtly expreſſed) ſhall be from henceforth obſerved, ſo that they to whom the Land was given under ſuch condition ſhall have no power to alien the Land ſo given, but it ſhall remain to their Iſſue after their death, or ſhall revert to the giver or his Heirs, if Iſſue fail: neither ſhall the ſecond Husband of any ſuch Woman from henceforth have any thing of the Land ſo given upon condition (after the death of his Wife) by the Law of *England*, nor the Iſſue of ſuch ſecond Husband and Wife ſhall ſucceed in the Inheritance; but immediately after the death of the Husband and Wife, unto whom the Land was given, it ſhall return unto the Iſſue of the giver of his Heirs as aforeſaid.

II. Hereupon a new Writ of *Formedon in deſcender* is granted in this form: *Præcipe* A. *quod juſte, &c. reddat* E. *Manerium de* F. *cum ſuis pertinentiis, quod* C. *dedit tali viro, & tali mulieri, & hæredibus de ipſis viro & muliere exeuntibus*; or thus, *Quod* C. *dedit tali viro in liberum maritagium cum tali muliere; & quod poſt mortem prædictorum viri & mulieris prædicto* B. *filio eorum viri & mulieris deſcendere debeat per formam donationis prædictæ, ut dicit, &c. vel, quod* C. *dedit tali & hæredibus de corpore ſuo exeuntibus, & quod poſt mortem illius talis prædicto* B. *filio prædicti talis deſcendere debeat per formam, &c.*

III. This Act ſhall extend to gifts hereafter to be made, and not to gifts heretofore made, and a Fine hereafter to be levied upon ſuch Lands ſhall be void in Law: Neither ſhall the Heir or Reverſioner (albeit they be of full age, in *England*, or out of Priſon) need to make their claim. *But this Law, concerning a Fine, is in ſome ſort altered by* 32 H.8.36. *which ſee in* Fines.

Taxes, Tenths, Fifteens, Benevolences, Ship-Mony.

I. **Stat.** 25 *E.* 1. Certain Taxes then before taken ſhall not be taken in cuſtom, but by the common aſſent of the Realm, except ancient Aids and Taxes.

II. **Stat.** *De Tallagio non concedendo, cap.* 1. *temp. E.* 1. No Tallage or Aid by us or our Heirs ſhall be levied without the will and aſſent of the Archbiſhops, Biſhops, Earls, Barons, Knights, Burgeſſes, and other free Commons of our Realm.

III. **Stat.** 1 *E.*3. *Stat.*2. *cap.*6. Whereas after Taxes rated, levied, and paid into the Exchequer, Commiſſions of review iſſued out, by colour whereof the Juſtices thereto aſſigned took Fines of the Taxes and others; it is ordained, That from henceforth the People ſhall be taxed after the old manner, and not otherwiſe.

IV. **Stat.** 11 *R.* 2. 9. No impoſition or charge ſhall be put upon Wool, Leather or Wool-fels, other than the Cuſtom and Subſidy granted to the King in this preſent Parliament: and if any be, the ſame ſhall be annulled: ſaving always unto the King his ancient Right.

V. **Stat.** 9 *H.*4. 7. Goods ſhall be chargeable towards the payment of Tenths or Fifteens in the place where they were at the time the ſame were granted; howbeit none ſhall be twice charged for his Goods.

VI. **Stat.** 1 *R.* 3. 2. The Subjects of this Realm ſhall not be hereafter charged by any charge called a Benevolence, or any ſuch like Exaction or Impoſition whatſoever; and ſuch Impoſition heretofore charged upon the Subject ſhall not be hereafter drawn into precedent or example.

VII. **Stat.**

VII. **Stat.** 19 *H.*7.8. No Mayor, Sheriff, Bailiff, or other Officer, ſhall diſtrain, take or levy any Cuſtom called *Scavage*, or *Schevage*, of any Denizen, for any Merchandize before truly cuſtomed, nor for the payment thereof let or diſturb any Merchant or other (being Denizens) to ſell or utter the ſame Merchandize, in pain of 20 *l.* to be divided betwixt the King and the party grieved, or the Proſecutor, which of them will ſue firſt for it.

VIII. Howbeit, the Mayor and Commonalty of *London* may take ſo much Mony (of Denizens) for Scavage, as ſhall be found to be their right by the King and his Council.

IX. **Stat.** 16 & 17 *Car.* 1.14. An Act for declaring unlawful and void the late proceedings touching Ship-mony, and for the vacating of all Records and Proceſs concerning the ſame.

X. **Stat.** 13 *Car.*2. *Cap.*4. An Act for a free and voluntary Preſent to his Majeſty, *Exp.* but declared thereby, that no Commiſſions or Aids of this nature can be iſſued or levied but by Authority of Parliament: and that the ſupply hereby granted ſhall not be drawn into Example.

Templers.

I. **Stat.** *De terris Templariorum*, 17 *E.*2. Neither the King nor other Lords ſhall have by Eſcheat the Lands that were the *Templers*, (which Order was then diſſolved) but thoſe Lands ſhall remain to the Prior and Brethren of the Order of the Hoſpital of *St. John* of *Jeruſalem*, which Order was then erected.

Tenure.

I. **Magna Charta** 10. None ſhall diſtrain for more ſervice than is due.

II. **Magna Charta** 31. If a Barony eſcheat to the King, the Tenants that hold of the ſame (not having other Lands that hold of the King in chief,) ſhall pay like relief, and do like ſervices to the King after ſuch eſcheat, as they paid or did to their former Lords, and not otherwiſe.

III. **Magna Charta** 32. No Freeman ſhall give or ſell ſo much of his Land, that of the reſidue the Lord of the Fee may not have the ſervices due to him.

IV. *Quia Emptores terrarum*, 18 *E.* 1. In all Feoffments to one and his Heirs, the Feoffee ſhall hold his Land of the chief Lord of the Fee by the ſame ſervices, that the Feoffor held before.

V. Here, if the Feoffment be made of parcel, he ſhall hold of the chief Lord *pro particula*; according to the quantity of the Land, and the Feoffor ſhall be ſet free for that part.

VI. Howbeit, by ſuch Sales or Purchaſes of Lands, or any parcels thereof, ſuch Lands ſhall not come into Mortmain, contrary to the Statute

Statute thereof lately made: Neither ſhall this Act be underſtood of any other than Lands in Fee-ſimple.

VII. Stat. 1 *E.*3. *Stat.* 2. 12. From henceforth Lands holden of the King in chief, and alienedwithout Licence, ſhall not be forfeited, but a reaſonable Fine ſhall be taken (of ſuch Lands ſo aliened) in *Chancery* by due Proceſs.

VIII. Stat. 1 *E.*3. *Stat.*2.13. Lands holden of the King, as of ſome Honour, ſhall not be taken into the King's hands, as if they were holden of the King in chief, as of his Crown.

IX. Stat. 34 *E.* 3. 15. All Alienations which the Tenants of *H.* 3. and of other Kings before his time did make are confirmed.

X. Stat. 7 *E.*4.5. Lands holden of a common Perſon by Fealty, Rent, or other Service, coming to the King's hands by Attainder of Treaſon, and being afterwards granted by the King to another, ſhall be holden as if ſuch Attainder had not been.

XI. Stat. 12 *Car.* 2. *Cap.*24. All Tenures by Knights-ſervice, in *Capite*, and Socage in *Capite*, and the fruits and conſequents thereof ſhall be taken away: and all Tenures turned into free and common Socage; and all Conveyances and Deviſes ſince the 24*th* of *February* 1645. ſhall be of ſuch effect, as if the Lands and Hereditaments had then been holden in free Socage only, and all Tenures to be created by the King ſhall be in free Socage only, and not in *Capite*.

XII. Saving Rents certain, Heriots or ſuits of Court, and Services incident to common Socage, and ſuch relief in reſpect of ſuch Rents as is paid in caſe of a death of a Tenant in common Socage: and Fines for alienations due by particular Cuſtoms, other than of Lands holden immediately of the King in *Capite*; and ſaving Tenures in Frank-almoign; which alſo ſhall not be ſubject to other Services than now they are, nor Tenures by Copy altered, nor the Services of Grand Serjeanty (other than Wardſhip, Marriage, Eſcuage, Voyages Royal, and other charges incident to Knight-ſervice, and *aide pur faire fits chevaler & file marrier*) taken away.

XIII. A Father, under age or of full age of a Child under one and twenty, and not married at the time of his death, whether then born or in *ventre ſa mere*, may by Deed in his life time, or by Will in the preſence of two Witneſſes diſpoſe the cuſtody of ſuch Child during Non-age, to any in poſſeſſion or remainder, other than Popiſh Recuſants; which perſons may maintain an Action of Raviſhment of Ward or Treſpaſs againſt wrongful takers away or detainers of ſuch Child, and recover damage for the Childs uſe, and may take into their cuſtody for the uſe of ſuch Child, the profits of his Lands and Hereditaments and cuſtody of his perſonal Eſtate, according to ſuch diſpoſition, and bring Actions in relation thereto as a Guardian in common Socage might do.

XIV. This

XIV. This Act ſhall not prejudice the Cuſtom of *London*, nor of any other City or Town Corporate, or of the Town of *Berwick* concerning Orphans, nor diſcharge any Apprentice from his Apprenticeſhip, nor infringe any Title of Honour feodal or other, by which any have or may have right to ſit in the Lords Houſe of Parliament, as to their Title and ſitting in Parliament, and Privilege belonging to them as Peers. *Confirmed* 13 *Car.*2. *Cap.*7.

☞ Tiles.

I. **Stat.** 17 *E.*4.4. Tile-Earth ſhall be caſt up before the firſt of *November*, ſhired and turned before the firſt of *February*, and not made into Tile before the firſt of *March*; and ſhall likewiſe be tried and ſevered from Stones, Maln, Marle, and Chalk.

II. A plain Tile ſhall contain in length ten Inches and an half, in breadth ſix Inches and a quarter, and in thickneſs half an Inch half a quarter, at leaſt: A Roof or Croſs-Tile in length thirteen Inches, and in thickneſs as before, with convenient deepneſs accordingly; a Gutter and a Corner-Tile in length ten Inches and an half, with a convenient thickneſs, breadth and deepneſs.

III. If any ſhall ſell Tile otherwiſe made, he ſhall forfeit to the Buyer the double value thereof, to be recovered by Action of Debt; and beſides, ſhall make fine and ranſom at the King's will.

IV. Juſtices of Peace ſhall hear and determine theſe defaults and offences, as well at the ſuit of the King, as of the party grieved, and ſhall not ſet leſs Fine upon an offender againſt this Act, than after the rate of 5 *s.* for every thouſand of plain Tile, 6 *s.* 8 *d.* for every hundred of Roof-Tile, and 2 *s.* for every hundred of Corner or Gutter-Tile.

V. The ſaid Juſtices have alſo Authority to appoint ſearchers of Tile, who ſhall diligently execute that Office, in pain to forfeit to the King for every default 10 *s.* And they ſhall have of every Tile-maker for ſuch ſearch after the rate of 1 *d.* for every thouſand of plain Tile, *ob.* for every hundred of Roof-tile, and *q.* for every hundred of Corner and Gutter-tile; and ſhall make Preſentment of all defaults found at the next Seſſions; which ſhall be as effectual in Law as a Preſentment of twelve Men.

VI. None ſhall put any Tile to ſale before ſuch ſearch be made, in pain to forfeit the ſame. And the Juſtices of Peace have alſo power to hear and determine in the defaults of the ſaid Searchers.

Timber.

I. **Stat.** 20 *Car.*2. *Cap.* 3. An Act for the increaſe and preſervation of Timber within the Foreſt of *Dean*. *See the Act at large.*

Tindale,

Tindale, Ridesdale, and Examshire.

I. Stat. 2 *H.* 5. 5. If any person of *Tindale* or *Examshire* commit any Murther, Treason, Man-slaughter, or Robbery, or consent thereunto, out of the said Franchises, Process shall be made against him until he be outlawed; and after Outlawry returned, the Justices before whom it is so returned shall make Certificate thereof to the Ministers of the said Franchises, who shall take such Felons, and seize their Lands and Tenements into the hands of the Lords of the same Franchises, as forfeit; but their Lands and Tenements out of those Franchises shall be seised to the use of the King and other Lords (having Franchise there) as forfeit: saving to the King the Forfeitures of such Offenders who to him belong in right of his Crown.

II. Stat. 9 *H.* 5. 7. The Statute of 2 *H.* 5. 5. made against Offenders in *Tindale* and *Examshire*, shall be extended against the like Offenders in *Rideſdale*.

III. Stat. 11 *H.* 7. 9. The North and South *Tindale*, and all the Lands within the same, shall be guildable, and parcel of the County of *Northumberland*, and no Franchise shall be there, but all the King's Writs and Officers shall be there obeyed.

IV. None shall demise any Lands for years, life, or at will, there, but the Lessor shall before find two Sureties, having at least 40 *s. per Annum* within the County of *Northumberland*, to be bound by Recognizance in 20 *l.* to the King, to make answer within eight days warning for all such offences as aforesaid: And the Lessor shall forfeit 40 *s.* for every Acre otherwise let, to the King and Justices, and such Lease shall be void. The Justices of Peace also shall inquire of such Recognizances forfeited. *See the Statute at large.*

☞ Tithes.

* I. Stat. *pro Clero* 7. 18 *E.* 3. No *Scire facias* shall be awarded to warn a Clerk to answer for his Tithes before any secular Judge; saving to him his right.

II. Stat. 1 *R.* 2. 14. Where, in an Action of Goods carried away, the Defendant maketh his title for Tithes, due to his Church, in such case the Plaintiffs general averment shall be taken, without shewing specially how the same were his Lay-chattel.

III. Stat. 5 *H.* 4. 11. The Farmors of Aliens shall pay Tithes to the Parsons and Vicars of the Parishes where the Lands in Farm do lye, notwithstanding they be seised into the King's hands, or any Prohibition made to the contrary.

☞ IV. Stat. 27 H. 8. 20. If the Judge of an Eccleſiaſtical Court make complaint to two Juſtices of Peace (1. Qu.) of any contumacy or miſdemeanor committed by a Defendant in any Suit there depending for Tithes, the ſaid Juſtices ſhall commit ſuch Defendant to Priſon, there to remain, till he ſhall find ſufficient ſurety to be bound (before them) by Recognizance, or otherwiſe, to give due obedience to the Proceſs, Proceedings, Decrees and Sentences of the ſaid Court.

V. This Act ſhall not extend to any Citizen of *London*; neither ſhall it reſtrain any perſon from having their defence and remedy according to the Eccleſiaſtical Laws, and the Laws and he Statutes of this Kingdom.

VI. This Act ſhall not have longer force than till the King and ſuch thirty two perſons as he ſhall appoint ſhall have eſtabliſhed the Eccleſiaſtical Laws for the Church of *England*, after which time Tithes ſhall be paid according to thoſe Laws, and not otherwiſe.

* VII. Stat. 28 H. 8. 11. The year in which the First-fruits ſhall be paid to the King, ſhall begin immediately after the avoidance or vacation of the Benefice; and the Tithes and other profits of any ſuch Benefice ariſing during the time of the Vacation ſhall belong to the Preſentee, or his Executors, towards payment of the First-fruits, which if any Archbiſhop, Biſhop, or other hinder him to have, he ſhall forfeit the treble value thereof, to be divided betwixt the King and ſuch Incumbent. Howbeit, ſuch Archbiſhop, Biſhop, Ordinary or other Officer ſhall be allowed the charge of the Cure, and of inning Tithes, and other profits.

VIII. Here alſo, the Incumbent before his death may make and declare his Will of the grain ſown by him upon the Glebe-lands.

IX. But the Succeſſor (upon a Months warning) ſhall have the Parſonage-houſe, and the Glebe not ſown.

X. If the Fruits of ſuch Spiritual Promotion received be not ſufficient to pay the Curate, the next Incumbent ſhall do it within 14 days after his Induction.

☞ XI. Stat. 32 H. 8. 7. All perſons ſhall duly ſet forth and pay all Tithes and Offerings, according to the cuſtom of the places where they grow due.

XII. If Tithes or Offerings be not ſo ſet out and paid, the party grieved may convent him that ſo detains them before the Eccleſiaſtical Judge, who hath power to hear and determine the matter in queſtion ordinarily or ſummarily, according to the Eccleſiaſtical Laws, and give ſentence thereupon accordingly.

XIII. Here, if any of the parties appeal, the Judge upon ſuch Appeal, ſhall adjudge to the other party reaſonable coſts: and compel the Appellant to ſatisfie them by Proceſs and Cenſures Eccleſiaſtical, taking ſurety of the other party, to whom the Coſts ſhall be adjudged, to reſtore the Coſts in caſe the principal Cauſe paſs againſt him.

XIV. If

XIV. If any perſon, after ſuch Sentence given, refuſe to pay the Tithes, or ſums of Mony ſo adjudged, then two Juſtices of Peace (1. *Qu.*) ſhall (upon Certificate thereof from the Judge) commit the party ſo refuſing to the next Gaol, there to remain, until he have found Sureties to be bound by Recognizance (or otherwiſe before the ſame Judge) to the King to perform the ſaid Sentence.

XV. Howbeit, none ſhall be thereby compelled to pay Tithes for Lands or other Hereditaments, which by the Laws and Statutes of this Realm are diſcharged, and not chargeable with the payment of Tithes: neither ſhall it extend to the City of *London*, or the Suburbs thereof.

XVI. In all caſes where any perſon who hath any Eſtate of inheritance, free-hold, term, right or intereſt, in any Parſonage, Vicarage, or other Eccleſiaſtical profit, which now be or hereafter ſhall be made temporal, and admitted to be and abide in temporal hands, and to lay-uſes, by the Laws and Statutes of this Realm, ſhall happen to be hereafter outed, or otherwiſe wronged, from or concerning the ſame, he or ſhe ſhall have remedy for the ſame in the King's temporal Courts, or other temporal Court, as the caſe ſhall require) by Writs of *Præcipe quod reddat*, Aſſize of *Novel diſſeiſin*, *Mortdanceſtor*, *Quod ei deforceat*, Writs of Dower, and other Original Writs, as the caſe ſhall require, in like manner as for Lands, Tenements, and other Hereditaments in ſuch manner to be demanded.

XVII. Alſo Writs of Covenant, and other Writs for Fines to be levied, and other aſſurances to be had and made of Parſonages, Vicarages, and other profits call'd Spiritual, ſhall be deviſed and granted in Chancery, as have been uſed for Fines and Aſſurances of other Lands. Likewiſe all Judgments given and Fines levied for and of ſuch Parſonages, &c. ſhall be of like effect as Judgments given and Fines levied of other Lands.

XVIII. Howbeit a remedy for Tithes or Offerings ſhall be had in the Eccleſiaſtical Court, (and not in Temporal Courts) as above by this Act is provided.

XIX. **Stat.** 37 *H.* 8. 12. A confirmation of a Decree made by *Thomas* Archbiſhop of *Canterbury*, and others there named, for the payment of Tithes in *London*. *See the Statute and Decree at large.*

* XX. **Stat.** 2 *&* 3 *E.* 6. 13. The Statutes of 27 *H.* 8. 20. and 32 *H.* 8. 7. are confirmed: And every perſon ſhall without fraud yield and pay all predial Tithes, as hath been uſed within forty years before the making of this Act, or of right or cuſtom they ought to have been paid.

XXI. None ſhall take or carry away any Tithes (paid, or that ought to have been paid, as aforeſaid) before he hath juſtly divided and ſet forth for the Tithe thereof the tenth part of the ſame, or otherwiſe agreed for the ſame Tithes with the Parſon, Vicar, or other

other Owner, Proprietor, or Farmer thereof, in pain to forfeit the treble value of the Tithes ſo taken or carried away.

XXII. At Tithing time it ſhall be lawful for the Owner, (claiming ſuch predial Tithes) his Deputy or Servant to ſee his ſaid Tithes be truly ſet out and ſevered from the nine parts, and the ſame quietly to take and carry away.

XXIII. If any perſon carry away his Corn, Hay, or other predial Tithes, before they be ſet out, or willingly withdraw his Tithes, of the ſame, or of other things whereof predial Tithes ought to be paid, or to let ſuch Owner to view, take and carry away his Tithes, as aforeſaid, by reaſon whereof they are loſt, impaired or hurt; then, upon due proof thereof before a Spiritual Judge, the party ſo carrying away, withdrawing, letting, or ſtopping, ſhall pay the double value of the Tithes ſo taken, loſt, withdrawn or carried away, beſides coſts of Suit, to be recovered before ſuch Eccleſiaſtical Judge according to the Eccleſiaſtical Laws.

XXIV. Tithe of Cattle feeding in a Waſte or Common, where the Pariſh is not known, ſhall be paid by the owner of ſuch Cattel in the place where he dwells.

XXV. None ſhall be compelled to pay Tithes for Lands or other Hereditaments, which by the Laws and Statutes of the Realm, or by any priviledge or preſcription, are not chargeable therewith or are diſcharged by any compoſition real.

XXVI. Barren, Heath and Waſte grounds, (others than ſuch as be diſcharged from Tithe by Parliament,) which have heretofore paid no Tithes by reaſon of barrenneſs thereof but be now improved and converted to arable Ground or Meadow, ſhall at the end of ſeven years next after ſuch improvement pay Tithes: Or if they yield ſome ſmall Tithe before the improvement, they ſhall only pay that ſame ſmall Tithe during the firſt ſeven years, but afterwards ſhall pay the full Tithe according to ſuch improvement.

XXVII. Every perſon exerciſing Merchandize, buying and ſelling, or any other art or faculty, (being ſuch perſons and in ſuch places as heretofore within forty years have uſed to pay perſonal Tithes, or of right ought to have paid them, and not Day-labourers,) ſhall yearly, at or before *Eaſter*, pay for his perſonal Tithes the tenth part of his clear gains, reaſonable charges and expences being deducted

XXVIII. Handycraft men, having uſed to pay Tithes within forty years, ſhall ſtill pay them.

XXIX. The Ordinary hath power to examine him that refuſeth to pay his perſonal Tithes by any lawful means, (otherwiſe than by his own Oath,) concerning the payment of ſuch Tithes.

XXX. Offerings ſhall be paid (in the place where the party dwells) at ſuch four Offering-days as heretofore, within the ſpace of four years laſt paſt have been uſed for the payment thereof; but in default thereof at *Eaſter*.

XXXI. Pa-

XXXI. Parishes that stand upon or towards the Sea-coasts, the Commodities whereof consist much in Fishing, shall pay their Tithes as they have done within forty years, and their Offerings, as aforesaid

XXXII. This Act shall not extend to *London* or *Canterbury*, or their Suburbs, nor to any other Town or place where the Inhabitants have used to pay Tithes by houses.

XXXIII. Suits for subtracting or withdrawing of Tithes, and other profits Spiritual, shall be prosecuted in the Ecclesiastical Court before the Ecclesiastical Judge, who hath power (no Original or Prohibition hanging) to excommunicate the party disobeying the Sentence, and if he stand excommunicate forty days, to certifie the Excommunication (after publication thereof at the place or Parish where such party dwells) into the Chancery, and thereupon to require Process *De excommunicato capiendo* to be awarded against the person so excommunicate.

XXXIV. Before a Prohibition shall be granted, the party Plaintiff therein shall bring a true Copy of the Libel exhibited into the Ecclesiastical Court concerning that Suit, subscribed with the hand of the same party, and thereunder shall be written the Suggestion whereupon the party demanded such Prohibition; and the Libel thus ordered shall be delivered to the Justices of the Court where the Prohibition is so demanded: and if such Suggestion be not proved to that Court by two sufficient Witnesses within six Months next after such Prohibition granted, the othe party shall (upon request) have Consultation, and double costs and damages awarded by the said Court, and may recover such costs and damages by Action of Debt.

XXXV. This Act shall not give power to any Ecclesiastical Judge to hold Plea of any matter against the meaning of the Statute of *Westm.* 2. *cap.* 5. *Articuli cleri*, *Circumspecte agatis*, *Sylva cædua*, the Treatise *De regia Prohibitione*, nor of 1 *E.* 3. 10. nor any of them; nor where the King's Court ought of right to have Jurisdiction.

XXXVI. No Tithes of Marriage-goods shall be paid in *Wales*, nor the Marches thereof.

Tobacco.

I. **Stat.** 12 *Car.* 2. *Cap.* 34. None shall set or improve Tobacco in *England*, *Wales*, *Gernsey*, *Jersey*, Town of *Berwick*, or *Ireland*, on pain to forfeit it or the value, or 40 *s.* for every Rod of Ground so planted, and so proportionably: one half to the King, the other to the Informer.

II. Sheriffs, Justices of the Peace, Mayors, Bailiffs, Constables within ten days after Information of Tobacco set or growing contrary to this Act, shall cause it to be destroyed.

III. They

III. They that oppoſe the execution of this Act ſhall forfeit 5 *l.* to be divided as aforeſaid. In caſe of Non-payment of Mony to be paid by this Act, a Diſtreſs ſhall be taken and ſold; and for want thereof the party ſhall be committed two Months.

IV. This Act ſhall not hinder planting Tobacco in Phyſick-Gardens of either Univerſity, or othe private Garden for Phyſick or Chyrurgery, ſo as the ſame exceed not one half Pole in each Garden *Confirmed* 13 *Car.* 2. *Cap.* 14.

V. **Stat.** 15 *Car.* 2. *Cap.* 7. They that ſet, plant or ſow Tobacco in *England*, *Wales*, *Gernſey*, *Jerſey*, or Town of *Berwick*, ſhall beſides the penalty of 12 *Car.* 2. *Cap.* 34. forfeit 10 *l.* for every Rod of ground ſo planted, and ſo proportionably: one third part to the King, another to the Poor of the Pariſh, the other third to the Informer.

VI. Perſons reſiſting the execution of the Act of 12 *Car.* 2. *Cap.* 34. ſhall beſides the penalty therein mentioned be committed to Gaol till they enter into Recognizance with Sureties of 10 *l.* penalty not to do the like again.

VII. The like Proviſo for Phyſick-Gardens, and Gardens for Chyrurgery, as in 12 *Car.* 2. *Cap.* 34.

VIII. **Stat.** 22 & 23 *Car.* 2. *Cap.* 16. Juſtices of Peace ſhall a Month before every Quarter-Seſſions iſſue Warrants to High-Conſtables, Petty Conſtables, and Tithing-men to make ſearch what Tobacco is then ſown, planted or made within their ſeveral limits, and by whom, and to make preſentment thereof in writing upon Oath at the next Quarter-Seſſions: which preſentment being filed by the Clerk of the Peace in open Seſſions ſhall be a conviction in Law, unleſs the perſons ſo preſented (having notice thereof by delivery of a Copy thereof or leaving one at their Houſes in the preſence of one or more Witneſſes, ten days before the next Quarter-Seſſions) ſhall traverſe ſuch preſentment, and find Sureties to proſecute ſuch traverſe at the Quarter-Seſſions next after ſuch traverſe entred.

IX. Conſtables &c. and other publick Officers, ſhall from time to time, within fourteen days after Warrant from two or more Juſtices of Peace, calling to them ſuch as they find convenient, deſtroy all Tobacco planted or growing in any ground.

X. And if any ſuch Tobacco ſhall be unconſumed fourteen days after receipt of ſuch Warrant, the Conſtables, &c. ſhall forfeit 5 *s.* for every Rod of ground ſo ſet, or planted, &c. and proportionably for a greater or leſſer quantity: one Moiety to the King, the other to him that will ſue for the ſame.

XI. Perſons refuſing to aſſiſt any Conſtable, &c. upon conviction before two Juſtices of the Peace, ſhall forfeit 5 *s.* to be levied by Warrant from them by diſtreſs and ſale of Goods, and for want thereof be committed for a week.

XII. Perſons forceably reſiſting any Conſtable, &c. in the due execution of this Act, upon conviction before two Juſtices of the Peace, ſhall forfeit five pounds, to be levied by Warrant from them, by diſtreſs and ſale of Goods, and in default thereof be committed for three Months.

XIII. Defendants in Suits commenced for acting in purſuance of this Act, or that of 12 *Car.* 2. *Cap.* 34, or 15 *Car.* 2. *Cap.* 7. may plead the general Iſſue and give the ſpecial Matter in evidence: and if the Plaintiff be Nonſuit or forbear Proſecution, or diſcontinue, or a Verdict be againſt him, the Defendant ſhall recover coſts.

XIV. The like Proviſo for Phyſick-Gardens and Gardens for Chyrurgery, as in the two former Acts.

XV. This Act ſhall continue nine years, and to the end of the Seſſion of Parliament then next enſuing.

XVI. **Stat.** 1 *Jac.* 2. *Cap.* 17. Continued for ſeven years, and from thence to the end of the next Seſſion of Parliament.

☞ Toll.

I. **Weſtm.** 1. 31. 3 *E.* 1. If exceſſive Toll be taken in a Market-Town, where it is the King's Town, the Franchiſe ſhall be ſeiſed; but where it is anothers, if it be done by the Lords conſent, the Franchiſe ſhall be ſeiſed, as before; but if done by a Bailiff, or other Officer, he ſhall reſtore as much more to the Plaintiff as was ſo taken, and ſuffer forty days impriſonment.

II. Citizens or Burgeſſes who have the King or his Fathers Grant for Murage to incloſe their Towns, if they take for Murage more than they ought to do by their Grant, and be thereof attainted, they ſhall loſe their Grant, and be alſo grievouſly amerced to the King.

III. **Stat.** 18 *E.* 2. Ordinance of Bakers, how Toll ſhall be taken at a Mill.

Towns.

I. **Stat.** 27 *H.* 8. 1. A remedy for repair of decayed Houſes and Buildings upon the waſte ground in *Nottingham* and *Shrewsbury*, *Ludlow*, *Bridgenorth*, *Quinborough*, *Northampton*, and *Glouceſter*. *See the Statute at large.*

II. **Stat.** 32 *H.* 8. 18. A remedy for repair of decayed Houſes and building upon waſte ground in *York*, *Lincoln*, *Canterbury*, *Coventry*, *Bathe*, *Chicheſter*, *Salisbury*, *Wincheſter*, *Briſtol*, *Scarborough*, *Hereford*, *Colcheſter*, *Rocheſter*, *Portſmouth*, *Pool*, *Linne*, *Feverſham*, *Worceſter*, *Stafford*, *Buckingham*, *Pomfret*, *Grantham*, *Exceter*, *Ipſwich*, *Southampton*, Great *Yarmouth*, *Oxford*, Great *Wicombe*, *Gildford*, *Stratford*, *Kingſton* upon *Hull*, *Newcaſtle* upon *Tine*, *Beverley*, *Bedford*, *Leiceſter*, *Berwick*. *See the Statute at large.*

III. **Stat.**

III. Stat. 32 H. 8. 19. A like Statute of re-edifying of *Shaftsbury, Sherborn, Bridport, Dorcheſter, Waymouth, Plimouth, Plimpton, Baruſtable, Taveſtock, Dartmouth, Lanceſton, Lukard, Leſtithiel, Padmyn, Truro, Helſtone, Bridgwater, Taunton, Somerton, Ilcheſter, Malden* in *Eſſex*, and *Warwick*. *See the Statute at large.*

IV. Stat. 33 H. 8. 36. A like Statute for *Canterbury, Rocheſter, Stamford*, Great *Grimsby, Cambridge, Derby, Gilford, Dunwich*, the *Cinque Ports*, with the Members, *Lewes* and *Buckingham*. *See the Statute at large.*

V. Stat. 35 H. 8. 4. A like Statute for *Shrewsbury, Cheſter, Ludlow, Haverford Weſt, Pembroke, Derby, Carmarthen, Montgomery, Cardiff, Swanzey, Cowbridge, New-Radnor, Preſtend, Brecknock, Monmouth, Malden* in *Eſſex*, *Abergavenny, Usk, Carlion, Newport* in *Moumouthſhire*, *Lancaſter, Preſton, Leverpool* and *Wigan*. *See the Statute at large.*

VI. Stat. 1 & 2 P. M. 7. None dwelling in the Country, out of a Corporation or Market-Town, ſhall ſell or cauſe to be ſold by retail, any Woollen-cloth, Linnen-cloth, Haberdaſher-wares, Mercery-wares, in any ſuch Corporation or Market-Town, or the Suburbs or Liberties thereof, (except in open Fairs,) in pain to forfeit for every time ſo offending 6 *s.* 8 *d.* and the whole Wares ſo ſold, or offered to be ſold; the one Moiety of which Forfeiture ſhall be to the King and Queen, and the other of the Seiſer or Proſecutor.

VII. Howbeit any Perſon may ſell ſuch Wares in the ſaid places by whole-ſale in groſs, and by retail alſo, he being made free of the ſaid places, or it being Cloth of his own making that is ſold.

VIII. The Liberties of the Univerſities are ſaved.

IX. Stat. 18 *El.* 21. It ſhall be lawful for any perſon freely to buy and ſell in *New-Woodſtock*, all Wools and Yarn brought thither upon the uſual Markets or Fair-days, and the ſame to uſe and employ to their beſt profit, notwithſtanding any Statute-Law or uſage to the contrary.

Trade.

I. Stat. 15 *Car.* 2. *Cap.* 7. When the prices of Corn and Grain, *Wincheſter* Meaſure, exceed not theſe rates at the place where they ſhall be ſhipped, *viz.* the Quarter of Wheat, 48 *s.* of Barly or Malt, 28 of Buck-Wheat, 28 of Oats, 13 *s.* 4 *d.* of Rye, 32 *s.* of Peaſe and Beans, 32 *s.* they may be tranſported: and when they exceed not the ſaid Rates at the place where they ſhall be imported, there ſhall be pain for Cuſtom of every Quarter of Wheat, 5 *s.* 4 *d.* of Rye, 4 *s.* of Barly or Malt, 2 *s.* 8 *d.* of Buck-Wheat, 2 *s.* of Oats, 1 *s.* 4 *d.* of Peaſe and Beans, 4 *s.*

II. And when they exceed not the ſaid prices at the Markets or places where they ſhall be bought, all perſons not foreſtalling nor ſelling them in the ſame Market, within three months after buying them, may buy and lay them up to ſell again without incurring any Penalty.

III. No Commodity of the growth or manufacture of *Europe*, ſhall be imported into any of the Kings Plantations which are or ſhall be in *Aſia*, *Africa*, or *America*, (*Tangier* excepted) but what ſhall have been Shipped in *England*, *Wales*, or Town of *Berwick*, and in *Engliſh* built Shipping, or bought before the firſt of *October* 1662. and having ſuch Certificate as is directed in 14 *Car.* 2. *Cap.* 11. (*Vide ſup. tit. Cuſtoms, ſect XLVIII. & tit. Ships, ſect. LXXII*) and whereof the Maſter and three fourths of the Mariners are *Engliſh*, and carried directly thence to the ſaid Plantations, on pain to loſe the ſame, and if imported by Water, the Veſſel alſo, one third to the King, the other to the Governour of ſuch Plantation, if there ſeiſed or ſued for: elſe that third to the King alſo, the other third to him that will ſeize or ſue for the ſame in any of the King's Courts in ſuch Plantations, or any Court of Record in, *England*.

IV. But it ſhall be lawful to lade in ſuch Ships ſo navigated in any part of *Europe*, Salt for the Fiſhers of *New England* and *New-foundland*, and in the *Maderaes* and *Azores*, Wines of the growth of the ſaid Iſlands: and in *Scotland* or *Ireland* to take in Servants or Horſes, and all Victuals of the growth or production of the ſaid places, to tranſport them to the ſaid Plantations.

V. They that import by Land any Goods into the ſaid Plantations, ſhall deliver to the Governour of ſuch place or Officer by him appointed within twenty four hours after ſuch importation, their Names and Sirnames with a true Inventory of ſuch Goods: and no Veſſel coming to any ſuch Plantation ſhall lade or unlade till the Maſter have made known as aforeſaid, the arrival of the Veſſel, her Name, his own Name and Sirname, and have ſhewn that ſhe is an *Engliſh* built Ship and navigated as aforeſaid, or produce ſuch Certificate, and have delivered an Inventory of her Lading, with the places where her Goods were taken in, on pain to loſe the Ship and Goods of the growth or manufacture of *Europe* not taken in, in *England*, *Wales*, or Town of *Berwick*, to be recovered and divided, *ut ſupra*. Governours of ſuch Plantations before entrance upon their charge, ſhall take an Oath before ſuch as the King ſhall appoint, to do their utmoſt to cauſe this Act to be obſerved, on pain of being removed: and if having taken ſuch Oath, they offend contrary to this Act, they ſhall be turned out and be uncapable of the government of any Plantation; and forfeit 1000 *l.* one half to the King, the other half to him that will ſue for the ſame in any the Kings Courts there, or Courts of Record in *England*.

VI. Officers

VI. Officers of the Customs that give Warrant for or suffer Sugar, Tobacco, Ginger, Cotton-wool, Indico, Speckle-wood, or *Jamaica* Wood, Fustick or other dying Wood of the growth of any of the said Plantations, to be carried into any other Country, till they have been put on Shoar in some Port, &c. in *England*, *Wales*, or Town of *Berwick*, shall lose their place and the value of such Goods, one half to the King, the other to the Informer.

VII. Sea-Coal may be Shipped for any part of them out of *England*, *Wales*, or Town of *Berwick*, in such Shipping, and navigated as aforesaid, paying for the Chalder *Newcastle* Measure, 1 *s.* 8 *d.* and for the Chalder *London* Measure, 1 *s.* in full of Custom and Poundage. But security must be given to the Officers of the Customs for landing them in the said Plantations.

VIII. Forein Coin or Bullion may be exported, making entry thereof in the Custom-House of the Port, &c. out of which, &c. without paying any Duty.

IX. For every Head of great Cattel, except of the breed of *Scotland*, imported after the first of *July*, and before the 20*th* of *December* in any year, and every Head of the breed of *Scotland*, imported after the 24*th* of *August* and before the 20*th* of *December* in any year, there shall be paid to the King 20 *s.* and 10 *s.* to him that will inform or seise, and 10 *s.* to the Poor of the Parish where such seisure or information shall be made: and 10 *s.* to the King for every Sheep imported between the first of *August* and 20*th* of *December* in any year. This Act, as far as it concerns great Cattel or Sheep, to continue but to the end of the first Sessions of the next Parliament.

X. No fresh Herring, fresh Cod or Haddock, Coal-fish, or Gull-fish shall be imported but in Vessels *English* built, or having such Certificate, and navigated as aforesaid, and which hath been caught in such Vessels, on pain to forfeit such Fish, and the Vessel in which it is imported, one Moiety to the King, the other to him that will sue or seize.

XI. For the following kinds of salted or dried Fish imported or caught in other Vessels than as aforesaid, shall be paid by way of impost these sums; *viz.* for Cod-fish, the barrel 5 *s.* the Last containing 12 Barrels 3 *l.* the hundred, containing six Score, 10 *s.* for Coal-fish, the hundred containing six score, 5 *s.* for Lings, the hundred containing six score, 1 *l.* for White-Herrings, the Last containing twelve Barrels, 1 *l.* 16 *s.* for Haddocks the Barrel 2 *s.* for Gull-fish the Barrel 2 *s.*

XII. Cattel of the breed of the Isle of *Man* may be imported, not exceeding 600 in one year, and Corn of the growth of that Island; so the Cattel be landed at *Chester*, *Leverpool*, or *Wire-water*.

XIII. **Stat.** 22 *Car.* 2. *Cap.* 13. All persons may transport all sorts of Corn and Grain, though the prices thereof exceed the rates set down in the Act of 15 *Car.* 2. *Cap.* 7. paying such rates as are

to be paid when the ſame might have been tranſported by 12 *Car.* 2. *Cap.* 4.

XIV. When the prices of Corn and Grain at the times and places when and where they ſhall be imported, exceed not the Rates following, there ſhall be paid for the Cuſtom and Poundage thereof as followeth; *viz.* ſixteen ſhillings for a Quarter of Wheat, not exceeding the price of 53 *s.* and 4 *d.* and 8 *s.* when it does exceed that price and is not above 4 *l.* the Quarter: and 16 *s.* for a Quarter of Rye, not exceeding the price of 40 *s.* and 16 *s.* for a Quarter of Barly or Malt, not exceeding the price of 32 *s.* and 16 *s.* for a Quarter of Buck-Wheat, not exceeding the price of 32 *s.* and 5 *s.* 4 *d.* for a Quarter of Oats, not exceeding the price of 16 *s.* and 16 *s.* for a Quarter of Peaſe or Beans, not exceeding the ſum of 40 *s.* each Quarter to contain eight Buſhels, and each Beſhel eight Gallons.

XV. But when the prices exceed theſe rates, there ſhall be anſwered the duties payable before this Act.

XVI. There ſhall be paid for the Cuſtom of a hundred weight of *French* or *Pearl Barly* 5 *s.*

XVII. **Stat.** 25 *Car.* 2. *Cap.* 7. All the King's Subjects of *England*, *Wales*, and Town of *Berwick*, and other perſons reſiding here, may Trade to and from *Greenland* and thoſe Seas, to take Whales and other Fiſh, and import all ſorts of Oil, Blubber and Fins thereof, and exerciſe all other Trade to and from thoſe parts.

XVIII. Any perſons, Natives or Foreigners may import Train-Oil or Blubber of *Greenland* and parts adjacent, or of *Newfoundland* or any other the King's Plantations, made of any Creature living in the Seas, and Whale-fins caught in Veſſels belonging to *England*, *Wales*, or Town of *Berwick*, and imported in ſuch Ships, without paying any Duty: and for the Tun of ſuch Oil taken by Shipping belonging to any of the King's Plantations and imported in ſuch Shipping, there ſhall be paid 6 *s.* and for every Tun of Whale-fins taken and imported in ſuch Shipping, 50 *s.* and for the Tun of ſuch Oil taken by the ſaid Shipping, but imported in Shipping belonging to *England*, *Wales*, or the Town of *Berwick*, 3 *s.* and for every Tun of Whale-fins taken and imported in ſuch Shipping, 25 *s.* and for the Tun of ſuch Oil and Blubber of Foreign Fiſhing, 9 *l.* and for every Tun of Whale-fins, 18 *l.* and no more.

XIX. Any Veſſel belonging to *England*, *Wales*, or the Town of *Berwick*, and whereof the Maſter ſhall be an *Engliſh* man, and inhabiting in the places aforeſaid, after the firſt of *May* 1673. and until the 25*th* of *March* 1683. employed for catching Whales, during ſuch Voyage may be navigated with one Moiety of the Harpiniers, and the one Moiety of the reſt of the Mariners only *Engliſh*, and yet ſhall pay no other Cuſtom for the Oil, Blubber and Fins caught

caught and imported, than if it had been navigated with three fourths of the Mariners *English*.

XX. No Veſſel belonging to *England*, *Wales*, or Town of *Berwick*, ſhall enjoy any benefit by this Act, unleſs ſhe did proceed on her Voyage from *England*, &c. and was victualled in ſome of thoſe places, to be atteſted by the Collector of the Poor where ſhe was victualled.

XXI. If any Veſſel ſhall come to any of the King's Plantations, to Ship any Sugar, Tobacco, Cotton Wool, Indico, Ginger, Fuſtick, or other dying Wood of their growth, and Bond ſhall not be firſt given with one ſurety to bring the ſame to *England*, or *Wales*, or the Town of *Berwick*, there ſhall be anſwered to the King theſe Duties following, *viz.* for Sugar white, the hundred weight, containing 112 *l.* 5 *s.* and brown Sugar and Muſcavadoes, the hundred weight containing *ut ſup.* 1 *s.* and 6 *d.* for Tobacco the pound 1 *d.* for Cotten-Wool the pound one half-peny, for Indico the pound 2 *d.* for Ginger the hundred weight, containing a hundred and twelve pounds, 1 *s.* for Log-wood the like weight 5 *l.* for Fuſtick and all other dying Wood, the like weight, 6 *d.* and for every pound of *Cacoa* Nuts 1 *d.* to be paid where and to whom ſhall be appointed in the ſaid Plantations before Landing thereof: and under ſuch Penalties to Officers, and upon Goods, as for non payment or defrauding the King of his Cuſtoms in *England*.

XXII. The ſeveral Duties hereby impoſed ſhall be cauſed to be levied by the Commiſſioners of the Cuſtoms in *England*, under the authority and directions of the Lord Treaſurer or Commiſſioners of the Treaſury.

XXIII. If any ſhall not have Moneys to pay the Duties aforeſaid, the Collectors may accept ſuch a proportion of the Commodities as ſhall amount to the value thereof.

XXIV. All perſons, Natives or Foreigners may Trade to and from *Sweden*, *Denmark*, and *Norway*.

XXV. Any Subject of this Realm may be admitted into the Fellowſhip of the Eaſt-land Merchants, paying for his admiſſion 40 *s.*

XXVI. **Stat.** 1 *Jac.* 2. *Cap.* 19. For aſcertaining the prices of *Engliſh* Corn at the times and places, when and where Forein Corn ſhall be Imported, (*vid. Stat.* 22 *Car.* 2. *Cap.* 13. *ſup. Sect. XIII, XIV, XV, XVI.*) be it Enacted, That after *Michaelmaſs* next, it ſhall be lawful for the Juſtices of Peace for the ſeveral Counties, wherein Forein Corn or Grain ſhall be imported; and they are hereby required at their next Quarter-Seſſions after *Michaelmaſs* and *Eaſter-day* yearly, by the Oaths of two or more perſons of the reſpective Counties, being nowiſe concerned in the importing of Corn, and each having 20 *l. per Annum* Freehold, or a Leaſe-hold of 50 *l. per Annum*, and being skilful in the prices of Corn, and by ſuch other means as to them ſhall ſeem fit, to determine the Market-price of

medling *Engliſh* Corn, and to certifie the ſame with two ſuch Oaths, to the Chief Officer of the cuſtoms reſiding in the reſpective Ports, where, &c. to be hung up in ſome publick place in the Cuſtom-Houſe.

XXVII. And the Duty of Forein Corn imported, ſhall be paid according to the Prices contained in ſuch Certificates.

XXVIII. All that by this Act is appointed to be done by the Juſtices at their Quarter-Seſſions, ſhall be done in *London* in *October* and *April*, by the Mayor, Aldermen, and Juſtices of Peace there; and the perſons making ſuch Oath ſhall be ſuch as are not concerned in the ſaid Corn imported, but ſhall be ſubſtantial Houſe-keepers in *Middleſex* or *Surrey*.

☞ Treaſon.

I. **Stat.** *de Proditionibus*, 25 *E.* 3. *Stat.* 5. *Cap.* 2. To compaſs or imagine the death of the King, Queen, or Prince; to violate the Queen, the Kings eldeſt Daughter unmarried, or the Princes Wife; to levy War againſt the King, or adhere to his Enemies within the Realm, giving them aid or comfort within the Realm, or elſewhere; to counterfeit the King's Great Seal or Privy Seal, or his Mony; to bring falſe Mony into this Realm, counterfeit according to the Mony of *England*, (knowing the ſaid Mony to be falſe,) to merchandize or make payment with it; to kill the Chancellor, Treaſurer, or any Juſtice of either Bench, Juſtices in *Eyre*, Juſtices of Aſſize, or any other Juſtices aſſigned to hear and determine, being in their places doing their Offices; is by this Statute declared to be High-Treaſon: And in the ſaid caſes that ought to be adjudged Treaſon, which extends to the King, or his Royal Majeſty.

II. Forfeitures of Eſcheats pertain to the King, of whomſoever the Lands are holden.

III. There is another ſort of Treaſon, (*viz.* Petty-Treaſon,) when a Servant kills his Maſter, a Wife her Husband, a Secular or Regular his Prelate to whom he oweth faith and obedience. In ſuch caſes the Eſcheat pertains to every Lord of his own Fee.

IV. If any other caſe ſuppoſed Treaſon ſhall happen before any Juſtices, they ſhall defer the Judgment thereof, until the caſe may be declared before the King and his Parliament, whether it ought to be adjudged Treaſon or Felony.

V. To ride armed with Men of Arms, with purpoſe to kill, rob, or impriſon another until he hath made Fine and Ranſom, ſhall not be adjudged Treaſon, but Felony or Treſpaſs, as hath been heretofore uſed: and if any ſuch attempt hath been heretofore adjudged Treaſon, and thereupon Lands ſeiſed into the King's hands, which

held

held of other Lords, they ſhall be reſtored to ſuch Lords, ſaving to the King his year and waſte.

VI. Stat. 1 *H.* 4. 10. Treaſon ſhall not be adjudged otherwiſe than as it was ordained by 25 *E.* 3.

VII. Stat. 26 *H.* 8. 13. *pars inde.* Treaſon committed out of this Realm ſhall be inquired of in ſuch County, and before ſuch perſons, as the King ſhall appoint by Commiſſion: and upon every Indictment and Preſentment ſo found and certified into the King's Bench, like Proceſs and other circumſtance ſhall be there had and made againſt the offender, as if ſuch Treaſon had been found to have been committed within the Realm. Alſo all Proceſs of Outlawry within the Realm againſt ſuch offender (being reſiant out of the Realm at the time of the Outlawry pronounced) ſhall be as good in Law, as if ſuch offender had been reſident within the Realm at the time of the Proceſs awarded, and ſuch Outlawry pronounced.

VIII. Every ſuch Offender being lawfully convicted by Preſentment, Confeſſion, Verdict, or Proceſs of Outlawry, ſhall forfeit to the King all ſuch Lands, Tenements and Hereditaments, which he ſhall have of any Eſtate or Inheritance in uſe or poſſeſſion, by any Right, Title or Means, within the King's Dominions, at the time of ſuch Treaſon committed, or after.

IX. The Rights, Titles, Intereſts, Poſſeſſion Leaſes Rents, Offices, and other Profits of all perſons, their Heirs and Succeſſors, (except of the Offenders, or others claiming to their uſe,) are ſaved.

X. Stat. 33 *H.* 8. 20. If any perſon commit High-Treaſon when he is of perfect memory, and after accuſation, examination, and confeſſion thereof before any of the King's Council, ſhall fall into Lunacy, he ſhall be inquired of in any County where the King by his Commiſſion ſhall aſſign; and if he be there indicted, he ſhall be there arraigned without his perſonal preſence; and if he be found guilty, he ſhall ſuffer death, and forfeit as if he had been of perfect memory. *But this is altered by* 1 *&* 2 P. M. 20. *which ſee after.*

XI. If any perſon be attainted of High-Treaſon by the Common Laws or Statutes of this Realm, ſuch Attainder by the Common Law ſhall be of as good force, as if it had been done by Parliament, and the King ſhall have as much benefit thereby, *viz.* of Lands, Tenements, Hereditaments, Goods, Chattels, Uſes, Rights, Entries, Conditions, Poſſeſſions, Reverſions, Remainders, and all other things of ſuch offender, and ſhall be as well adjudged in actual and real poſſeſſion of all ſuch things of the offender, which the King ought or might lawfully have, or which the offender ought or might lawfully loſe or forfeit, as if he had been attainted by the Parliament, without any Office or Inquiſition to be found of the ſame.

XII. The right, &c. of all others, (except of the offenders, &c.) is ſaved.

XIII. Stat.

XIII. Stat. 35 *H.* 8. 2. All Treaſons, miſpriſions of Treaſons, and concealments of Treaſon, committed out of the Realm, ſhall be inquired, heard and determined before the Juſtices of the King's Bench, by lawful men of the County where the Bench ſhall then ſit, or before Commiſſioners in ſuch County as the King ſhall aſſign by lawful men of the ſame County, in like manner as if the offence had been committed in the ſame Shire where it is ſo enquired, heard and determined. But here, a Peer ſhall be tried by his Peers.

XIV. Stat. 1 *E.* 6. 12. All former Statutes which make any offence, Treaſon or Petty-Treaſon are repealed, ſave only what is ſo made by 25 *E.* 3. *Stat.* 5. *Cap.* 2. and by this Statute.

XV. It ſhall be High-Treaſon to affirm by Writing, Printing, or Deed, that the King is not Supreme Head of the Church of *England* and *Ireland*, or that any other is. *But this Clauſe is repealed by* 1 P. M. 8.

XVI. It ſhall be High-Treaſon to interrupt any perſon to whom the Crown is limited, by 35 *H.* 8. 1. *But this is alſo expreſly repealed by the general words of* 1 M. *Seſſ.* 1.

XVII. If any compaſs to depoſe the King, or do affirm that he ought not to be King; for the firſt offence he ſhall forfeit his Goods, and ſuffer impriſonment at the King's will; for the ſecond, he ſhall loſe the iſſues of his Lands during life, and ſuffer perpetual Impriſonment; and for the third, ſhall be guilty of High-Treaſon. *But ſo much hereof as concerns Treaſon, Petty-Treaſon, or miſpriſion of Treaſon, is alſo repealed by the general words of* 1 M. *Seſſ.* 1.

XVIII. 5 & 6 *E.* 6. 11. It is High-Treaſon to affirm by Writing, Printing, Painting, Carving, or Graving, that the King is an Heretick, Schiſmatick, Tyrant, Infidel, or Uſurper of the Crown, or rebelliouſly to detain from the King any of his Caſtles, Holds, Ships, Ordinances, Artillery, or other Fortification of War. *But this part of this Statute is repealed expreſly by* 1 M. *Seſſ.* 1.

XIX. Treaſon committed out of the Realm ſhall be enquired of in ſuch County, and before ſuch perſons, as the King ſhall appoint by Commiſſion; and upon every Indictment and Preſentment ſo found and certified into the King's Bench, like Proceſs and other circumſtances ſhall be there had and made againſt the offender, as if ſuch Treaſon had been found to have been committed within the Realm. Alſo all Proceſs of Outlawry within the Realm againſt ſuch offender (being reſiant out of the Realm at the time of the Outlawry pronounced) ſhall be as good in Law, as if ſuch offender had been reſident within the Realm at the time of the Proceſs awarded, and ſuch Outlawry pronounced.

XIX. If the party within one year after the Outlawry or Judgment given thereupon yield himſelf to the Chief Juſtice of *England*, and offer to traverſe the Indictment or Appeal whereupon he

was

was ſo outlawed, he ſhall be admitted to ſuch traverſe, and being thereupon acquit, ſhall be diſcharged of the Outlawry, and all Forfeitures by reaſon thereof.

XXI. The Offender in Treaſon, being lawfully convict thereof, ſhall forfeit to the King all ſuch Lands, Tenements and Hereditaments as he ſhall have of an Eſtate of inheritance in his own right in uſe or poſſeſſion, in the King's Dominions, at the time of the Treaſon committed, or at any time after.

XXII. Concealment of Treaſon ſhall be deemed miſpriſion of Treaſon. *But* quære *whether this Clauſe be not alſo repealed by the general words of* 1 M. 1.

XXIII. None ſhall be attainted of Treaſon but by the teſtimony of two lawful Accuſers, who ſhall be brought in perſon before the party accuſed; unleſs he will willingly without violence confeſs the offence.

XXIV. Here, the right of all others is ſaved.

XXV. The Wife ſhall loſe her Dower, where the Husband is attainted of Treaſon, ſo long as the Attainder continues in force.

XXVI. Stat. 1 M. *Seſſ.* 1. No Act or Offence ſhall be adjudged Treaſon, Petty-Treaſon, or miſpriſion of Treaſon, but ſuch as be declared to be ſo by 25 *E.* 3. *Stat.* 5. *Cap.* 2.

XXVII. Stat. 1 M. *Seſſ.* 2. 6. To counterfeit any Foreign Coin (made currant in this Realm) or the Queens Signet Manual, Privy Signet, or Privy Seal, ſhall be adjudged High-Treaſon: and all Counſellors, Procurers and Abettors thereunto, ſhall alſo be deemed Traytors.

XXVIII. Stat. 1 & 2 P. M. 10. Trial of Treaſon ſhall be according to the courſe of the Common Law, and not otherwiſe.

XXIX. The right of all others is ſaved.

XXX. Concealment of High-Treaſon ſhall be judged miſpriſion of Treaſon, and ſhall incur puniſhment accordingly.

XXXI. Alſo in caſes of High-Treaſon concerning Coin, and for counterfeiting the King or Queens Signet, Privy Seal, Great Seal, or Signet Manual, ſuch Trial ſhall be obſerved, as heretofore hath been uſed by the Common Law.

XXXII. Stat. 1 & 2 P. M. 11. If any perſon bring from beyond Sea into this Realm, or any of the Dominions thereof, any falſe and counterfeit Coin, of Mony, (allowed to be currant in this Realm,) knowing it to be ſo, with intent to utter the ſame here by Merchandizing or otherwiſe, both he and his Acceſſaries ſhall be adjudged offenders in High-Treaſon; and ſhall be adjudged and convicted or attainted for the ſame by ſuch evidence, and in ſuch form, as hath been uſed within this Realm before the firſt of *Ed.* 6.

XXXIII. Stat.

XXXIII. **Stat.** 5 *El.* 11. Clipping, waſhing, rounding, or filing, (for lucre-ſake) any of the proper Moneys or Coins of this Realm, or the Dominions thereof, or of foreign Moneys or Coins (allowed to be currant here,) ſhall be adjudged High-Treaſon; and the offender herein, together with his Acceſſaries, being thereof attainted, ſhall ſuffer death, forfeit all his Goods, and his Lands alſo during life.

XXXIV. They who have any grant of Forfeitures of Lands or Goods within any Liberty or Precinct, ſhall in this caſe alſo enjoy them.

XXXV. Theſe offences make no corruption of Blood, nor Forfeiture of Dower: And here, Trial of a Peer ſhall be by his Peers.

XXXVI. **Stat.** 18 *El.* 1. If any perſon ſhall (for lucre-ſake) by any ways or means whatſoever impair, diminiſh, falſifie, ſcale or lighten the Coins of theſe Dominions, or the Coins of any other Realms (allowed to be currant here, during the time they are ſo allowed,) it ſhall be adjudged Treaſon, and the Offenders therein, their Counſellors, Conſenters and Aiders, ſhall ſuffer death, forfeit all their Goods and Chattels, and their Lands alſo during life.

XXXVII. Howbeit, this offence ſhall cauſe no corruption of Blood, or forfeiture of Dower; and the Trial of a Peer ſhall be by his Peers.

XXXVIII. **Stat.** 29 *El.* 2. No Record of Attainder of Treaſon ſhall be reverſed, where the party attainted is executed for the ſame offence.

XXXIX. **Stat.** 13 *Car.* 2. *Cap.* 1. If any during the King's life, intend death or deſtruction, or any bodily harm tending to death or deſtruction, maim or wounding or reſtraint of the King's perſon, or to depoſe him from the ſtyle or honour of the Imperial Crown of any of his Dominions, or to levy War againſt him, or to move any Strangers to invade any of his Dominions under his obeyſance; and any ſuch intentions declare by Printing, Writing, Preaching or adviſed ſpeaking, ſuch perſons being convicted upon the Oaths of two Witneſſes upon Trial, or otherwiſe attainted by Law, ſhall be adjudged Traitors.

XL. No perſon by virtue of this Act ſhall incur any penalty, unleſs he be proſecuted within ſix Months after the offence committed, and indicted within three Months after ſuch Proſecution.

XLI. The Witneſſes at the Offenders Arraignment ſhall be brought before him face to face.

Treſpaſs.

I. **Statute** *of Glouceſter, Cap.* 8. 6 *E.* 1. Sheriffs ſhall plead Pleas of Treſpaſs in their Counties, as they have been accuſtomed to be pleaded.

II. None ſhall have Writs of Treſpaſs before Juſtices, unleſs he ſwear by his Faith, that the Goods taken away were worth 40 *s.* at leaſt.

III. If he complain of beating, he ſhall anſwer by his Faith that his Plaint is true; but for maims and wounds, a man ſhall have his Writ, as before hath been uſed.

IV. The Defendants in ſuch Pleas may make their Attorneys, where Appeal lieth not; ſo that if they be attainted of Treſpaſs being abſent, the Sheriffs ſhall be commanded to take them, and they ſhall incur like pain, as they ſhould have had if they had been preſent at the Judgment given.

V. If the Plaintiffs in ſuch Treſpaſſes cauſe themſelves to be Eſſoined after the firſt appearance, day ſhall be given them till the coming of the Juſtices, and the Defendants in the mean time ſhall be in peace.

VI. In ſuch Pleas and others where Attachment and Diſtreſſes do lye, if the Defendant Eſſoin himſelf of the King's ſervice, and do not bring his Warrant at the day given by the Eſſoin, he ſhall recompence the Plaintiffs damages for his Journey, 20 *s.* or more at the diſcretion of the Juſtices, and beſides ſhall be grievouſly amerced to the King.

VII. **Stat.** 43 *El.* 7. If any ſhall be convicted by his own confeſſion, or by the teſtimony of one Witneſs upon Oath, before one Juſtice of Peace or Head-Officer, to have unlawfully cut and taken away any Grain growing, robbed any Orchard or Garden, digged up or taken away any Fruit-trees, broken any Hedges, Pales, or other Fences, cut or ſpoiled any Woods or Under-woods, ſtanding and growing, or the like, or to have been acceſſory thereunto, he ſhall for the firſt offence pay unto the party grieved ſuch damages, and within ſuch time as by the ſaid Juſtice or Head-Officer ſhall be appointed: And in caſe the party offending ſhall not by the ſaid Juſtice or Officer be thought able to diſcharge the ſaid damages, or ſhall not diſcharge them according to the Order, then ſhall the ſaid Offender be by them or either of them (reſpectively) committed to the Conſtable, or other Officer of the place where the offence was committed, or the party apprehended, to be whipped. And for every other offence committed afterwards, and proved as aforeſaid, the party offending ſhall receive the like puniſhment of Whipping.

VIII. The Conſtable or other inferior Officer that herein refuſeth or neglecteth to do his duty, ſhall by any ſuch Juſtice of Peace or Head-Officer be committed to Priſon without Bail, till he whip,

whip, or cauſe to be whipped, the party offending, as is above-limited.

XI. No Juſtice of Peace ſhall execute this Statute for offences done to himſelf, unleſs he be aſſociated with one or more Juſtices of Peace whom the offence doth not concern.

X. **Stat.** 21 *Jac.* 16. *part inde.* In all Actions of Treſpaſs, *Quare clauſum fregit*, wherein the Defendant or Defendants ſhall diſclaim in his or their Plea to make any Title to the Land in which the Treſpaſs is by the declaration ſuppoſed to be done, and where the Treſpaſs is by negligence or unvoluntary, the Defendant or Defendants ſhall be admitted to plead a diſclaimer, and that the Treſpaſs was done by negligence or unvoluntarily, and to tender or offer ſufficient amends for ſuch Treſpaſs before the Action brought; whereupon, or upon ſome of which, the Plaintiff or Plaintiffs ſhall be forced to joyn iſſue; and if the ſaid iſſue be found for the Defendant or Defendants, or the Plaintiff or Plaintiffs be non-ſuited, ſuch Plaintiff or Plaintiffs ſhall be clearly barred from the ſaid Action or Actions, and all other ſuits concerning the ſame.

Trial.

I. **Stat.** 9 *E.* 3. *Stat.* 1. *Cap.* 4. Whereas many be delayed in their Actions, for that the Tenants or Defendants plead in Bar a Releaſe, Quit-claim, or other ſpecial Deed, made within a Franchiſe, where the King's Writ runneth not; It is enacted, That when ſuch Deeds are ſhewed forth in Bar of an Action, and bear date within a Franchiſe, albeit the Witneſſes named in the Deed be of the Franchiſe, yet if the Deed be denied, Proceſs ſhall be awarded in the Court where the Plea depends, to cauſe the Country and the Witneſſes to appear; and if the Witneſſes come not at the great Diſtreſſes returned, notwithſtanding ſuch abſence of the Witneſſes, the Juſtices ſhall not let to proceed to the taking of the Inqueſt, as well as if ſuch Deed did bear date within the County where the Plea was moved, and that the Witneſſes were of the ſame County.

II. **Stat.** 8 *H.* 6. 29. The Statute of 28 *E.* 3. 13. (*which ſee in* Staple) ordering that an Inqueſt ſhall be *De medietate linguæ* where an Alien is party, is confirmed: And it is by this Act farther declared, that the Statute of 2 *H.* 5. 3. (*which ſee in* Jurors) doth only extend to Inqueſts taken between Denizen and Denizen; ſo that an Alien may be put upon Inqueſts according to the Statute of 28 *E.* 3. Albeit he have not Lands of the yearly value of 40 *s.*

III. **Stat.** 20 *H.* 6. 9. Trial of Dutcheſſes, Counteſſes and Baroneſſes, for Treaſon or Felony, ſhall be as Noblemen, Peers of the Realm, and not otherwiſe, notwithſtanding the Statute of *Magna Charta*,

Charta, *Cap.* 9. which mentioneth men only to be tryed by their Peers. *See the Chapter of Mag. Chart. in* Accuſation.

IV. **Stat.** 4 *H.* 8. 2. *pars inde.* Where a Murtherer or Felon (to delay his arraignment) pleads that he was taken out of a priviledged place in a forein County, and it is alledged by the King's Attorny (or ſome other in the King's behalf) that he was taken in the County where he is ſo to be arraigned, they ſhall be tried by the Inqueſt who are to try the Murther of Felony, and before the ſame Juſtice; and if it be found that he was taken in the ſame County, ſuch foreign Plea ſhall do him no advantage or benefit.

V. **Stat.** 27 *H.* 8. 4. Murther and Robberies committed by Pirates upon the Sea: or in any other place where the Admiral pretends Juriſdiction, ſhall be inquired into, tried, heard, and determined, in ſuch places and Counties within the Realm, as ſhall be limited by the King's Commiſſion, in like manner as if ſuch offences were done at Land. And ſuch Commiſſions (being under the Great Seal) ſhall be directed to the Lord Admiral, his Lieutenant or Deputy, and to three or four ſuch others as the Lord Chancellor ſhall name.

VI. The ſaid Commiſſioners, or three of them, have power to enquire of ſuch offences by twelve lawful men of the County, ſo limited in their Commiſſion, as if ſuch offences were done at Land within the ſame County; and every Indictment ſo found and preſented ſhall be good in Law; and ſuch Order, Proceſs, Judgment, and Execution, ſhall be uſed, had, done and made thereupon, as againſt offenders for Murther or Felony done at Land. Alſo the Trial of ſuch offences (if they be denied) ſhall be had by twelve men of the County, limited in the ſaid Commiſſion (as aforeſaid,) and no challenge ſhall be had for the Hundred: And ſuch as ſhall be convict of ſuch offences ſhall ſuffer death without benefit of Clergy, and forfeit Lands and Goods, as in caſe of Felonies and Murthers done at Land.

VII. This Act ſhall not prejudice any perſon or perſons (urged by neceſſity) for taking Victual, Cables, Ropes, Anchors or Sails out of another Ship that may ſpare them, ſo as they either pay ready Mony or Mony worth for them, or give a Bill for the payment thereof; *viz.* if they be taken on this ſide the Streights of *Morocco*, within four Months; but if beyond, within twelve Months.

VIII. When any ſuch Commiſſion ſhall be ſent to any place within the Juriſdiction of the *Cinque Ports*, it ſhall be directed to the Warden of the ſaid Ports, or his Deputy, with three or four ſuch other perſons as the Lord Chancellor ſhall name: And the Inquiſition and Trial of ſuch offences there ſhall be made and had by the Inhabitants of the ſaid Ports, and the Members of the ſame.

IX. **Stat.**

IX. **Stat.** 28 *H.* 8. 15. This Act is *verbatim* the ſame with 27 *H.*8.4. ſave only that it extends as well to Treaſons and all other Capital offences, committed within the Admiral's Juriſdiction, as unto Felonies, Robberies and Murthers there done.

X. **Stat.** 33 *H.*8.12. The manner of the Trial and puniſhment of Murther and Blood-ſhed within the King's Court. *See the Statute at large.*

XI. **Stat.** 33 *H.*8.23. If any perſon, being examined before the King's Council, or any three of them, upon any Treaſon, miſpriſion of Treaſon, or Murther, doth confeſs the ſame, or by the ſaid Council is vehemently ſuſpected to be guilty thereof; in this caſe the King ſhall direct a Commiſſion of *Oyer* and *Terminer* to ſuch perſons, and into ſuch County or place as he pleaſeth, for the ſpeedy trial, conviction or deliverance of ſuch offenders. And here, no challenge for the County or Hundred ſhall be allowed; but a Juror may be challenged, if he have not Free-hold worth 40 *s. per Annum.* In this caſe alſo the trial of a Peer ſhall be by his Peers.

XII. **Stat.** 2 & 3 *E.* 6.24. Where any is felonioufly ſtricken or poyſoned in one County, and dieth of ſuch ſtroke or poyſoning in any other County, an Indictment thereof found by Jurors of the County where he dies ſhall be as good in Law, as if the ſtroke or poyſoning had been in the County where the party ſo dieth: And Juſtices of Gaol-delivery, and *Oyer* and *Terminer* in the County where ſuch Indictment is taken, as alſo the Juſtices of the King's Bench, before whom ſuch Indictment is removed, may proceed thereupon in all points, as if ſuch ſtroke or poyſoning and death had all hapned in one and the ſame County.

XIII. Alſo an Appeal may be commenced, taken and ſued in the County where the party ſo ſtricken or poyſoned ſhall die, as well againſt the Principal as Acceſſary; in whatſoever County ſuch Acceſſary be guilty thereof; And the Juſtices before whom ſuch Appeal is proſecuted (within the year and day after the offence committed, ſhall proceed againſt every ſuch Acceſſary in the County where ſuch Appeal is ſo taken, in like manner as if the offence of ſuch Acceſſary had been committed in the ſame County, as well concerning Trial by Jurors, upon the offenders Plea of Not-guilty, as otherwiſe.

XIV. Where any Murther or Felony is committed in one County, and more Perſons be acceſſary thereunto in another County, an Indictment found and taken againſt ſuch Acceſſary before Juſtices of Peace, or other Commiſſioners in the County where ſuch perſon is Acceſſary, ſhall be as good in Law as if the principal offence had been committed in the ſame County.

XV. The Juſtices of Gaol-delivery, or *Oyer* and *Terminer* (or two of them) of the County where the party ſo became acceſſary, ſhall (upon requeſt) write unto the *Cuſtos Rotulorum* where the Principal ſhall

ſhall be attainted or convicted, to certifie them whether the principal ſhall be attainted, convicted or otherwiſe diſcharged; and then the Juſtices of Gaol-delivery, *Oyer* and *Terminer*, or others authorized, ſhall proceed upon every ſuch acceſſary in like manner as if both the principal offence and acceſſary had been committed in the County where the party ſo became acceſſary; and thereupon every ſuch acceſſary ſhall anſwer upon his arraignment, and receive ſuch trial, judgment and execution, and ſuffer ſuch pains and forfeitures as are uſed in other caſes of Felony.

Vacations of Biſhopricks.

I. **Magna Charta, 33. 9 H. 3.** PAtrons of Abbeys ſhall have the cuſtody of them in time of Vacation.

II. **Stat.** *pro Clero*, 4. 14 *E.* 3. Eſcheators ſhall preſerve from waſte and deſtruction the poſſeſſions of Archbiſhopricks, Biſhopricks, and other Prelacies, during their Vacations, and the Chancellor and Treaſurer ſhall demiſe them to the Dean and Chapter, or Prior and Convent, before any other, at a reaſonable rate, without fine; but if they will not take them, then ſhall the ſaid Chancellor and Treaſurer cauſe them to be preſerved by the ſaid Eſcheators or others, and the reaſonable profits thereof to be anſwered to the King.

III. **Stat.** *pro Clero* 5. 14 *E.* 3. This Chapter is alſo for demiſing them to the Dean and Chapter, or Prior and Convent, at as reaſonable rate, and without fine, as before, and that the Eſcheator or other Miniſter ſhall not enter or moleſt them.

☞ Vagabonds, Rogues, Beggars, and Poor People.

* I. **Statute** 39 *El.* 4. Juſtices of Peace within every County and Corporation have power in Seſſions to give order for erection of Houſes of Correction, and alſo for the maintenance and government of the ſame, and for the puniſhment of offenders which ſhall be thither committed,

II. All Scholars and Sea-faring men which beg; all wandring perſons which either beg or uſe unlawful Games and Plays, feign themſelves to have skill in Phyſiognomy, Palmeſtry, or the like, or pretend to tell Fortunes; all perſons that are or pretend to be Collectors for Gaols, Hoſpitals, &c. All Fencers, Bear-wards, Common Players and Minſtrels wandring abroad, other than ſuch as ſhall be authorized by Noblemen under their hands and ſeals; all Juglers, Tinkers, Pedlars and Petty Chapmen wandring abroad; all Labourers which wander and refuſe to work for wages reaſonably taxed,

having no living otherwiſe to maintain themſelves; all perſons delivered out of Gaols, which beg for their Fees, or otherwiſe do travel begging; all which wander abroad begging, pretending loſs by Fire or otherwiſe; and all ſuch perſons (not being Felons) wandring and pretending themſelves to be *Egyptians*, ſhall be adjudged Rogues, Vagabonds and ſturdy Beggars.

III. If any ſuch Vagabond ſhall be taken begging, wandering, or miſordering him or her ſelf, he or ſhe, by the appointment of any Juſtice of Peace, Conſtable, Headborough or Tithing man there, (the two laſt being aſſiſted by the Miniſter, and one other of the Pariſh,) ſhall be ſtripped naked from the middle upwards, openly whipped till their body be bloody, and forthwith ſent the next way from Pariſh to Pariſh, by the Officers of each Pariſh towards the place of their birth; but if it cannot be known, then towards the place where they laſt dwelt, by the ſpace of one whole year before ſuch puniſhment; and if that cannot be known, then to the Town through which they laſt paſſed without puniſhment. And if it cannot be diſcovered where they were born, or laſt dwelt, as aforeſaid, then are they to be conveyed by the Officer there to the Houſe of Correction, or Common Gaol of the County, to be employed in work, or placed in ſome ſervice, and ſo to continue by the ſpace of one year: or in caſe they be not able in body, that Town is to keep them till they may be placed in ſome Alms houſe within the ſame County.

IV. After which whipping, the Vagabond ſhall have a Teſtimonial under the hand and ſeal of the ſaid Juſtice, Conſtable, Head-Officer, Tithing-man and Miniſter, or any two of them, teſtifying the day and place of his puniſhment, the place to which he is to be conveyed, and the time limited for his paſſage thither; which time if by his own default he exceeds, he ſhall from time to time incur the like puniſhment, till he arrive at the place limited; the ſubſtance of which Teſtimonial ſhall be regiſtred by the ſaid Miniſter in a Book provided for that purpoſe, in pain of 5 *s.*

V. If any ſuch Rogue ſeem dangerous, or will not be reformed, two Juſtices of Peace (one *Quorum*) ſhall commit him to the Houſe of Correction; and if at the next Quarter-Seſſions by the more part of the Juſtices there he ſhall not be thought fit to be delivered, he ſhall by them be baniſhed, and at the charge of that County ſhall be conveyed to ſuch parts beyond the Seas as ſhall by ſix or more of the Privy Council for that purpoſe be aſſigned, whereof the Lord Keeper or Treaſurer to be one; otherwiſe adjudged to the Gallies of the Realm, as the ſaid Juſtices ſhall think fit. And if a Rogue ſo baniſhed return without licence, he ſhall ſuffer as a Felon, to be tried in the County where he ſhall be apprehended.

VI. If a Conſtable, Headburrough or Tithingman be found negligent in the due execution of this Act, they ſhall forfeit 10 *s.* for every default; and none ſhall make reſcous againſt any Officer, or hinder

hinder the execution of this Law, in pain of 5 *l.* and to be bound to the good Behaviour.

VII. None ſhall tranſport ſuch a Rogue out of *Ireland*, *Scotland*, or the Iſle of *Man* (being born in any of theſe places) in pain to forfeit 20 *s.* to the uſe of the Poor where he lands: And if any ſuch ſhall be hereafter found in *England* or *Wales*, they ſhall ſuffer puniſhment, and be conveyed the next way home, as aforeſaid; or (in caſe they came by Sea) to the place where they landed, from whence they are to be tranſported at the charge of that County to the place from whence they came.

VIII. No impotent poor perſon ſhall paſs to the *Bath* or *Buxton*, without being licenſed to paſs by two Juſtices of Peace where they dwell, and provided with relief, both for their Journey and abode there; and ſhall alſo return within the time limited by their Licence, in pain to be reputed and puniſhed as Rogues; and the City of *Bath*, or Town of *Buxton* ſhall not be chargeable with any ſuch.

IX. Juſtices of Peace of the Counties ſhall not intermeddle in Cities or Corporations, but only the Officers of the ſame, who ſhall have like power there as the ſaid Juſtices have in Counties.

X. This Act ſhall not extend to reſtrain the power which the City of *London* hath in the Government of St. *Thomas* Hoſpital in *Southwark*, or to prejudice any Juriſdiction or Inheritance of *John Dutton* of *Dutton* in the County of *Cheſter* Eſquire.

XI. The Forfeitures and Fines which ſhall accrue by this Act (other than thoſe above otherwiſe limited) ſhall be employed for the maintenance of Houſes of Correction, or the relief of the Poor where the offence ſhall be committed, at the diſcretion of the ſaid Juſtices of Peace; and may be levied by Warrant under the hands and ſeals of two Juſtices of Peace, by diſtreſs and ſale of Goods. And here, the confeſſion of the offender, or proof by two Witneſſes before two ſuch Juſtices, ſhall be ſufficient conviction.

XII. Two Juſtices of Peace (one *Quorum*) ſhall have full power to hear and determine all Cauſes which may come in queſtion by reaſon of this Act.

XIII. The Lord Chancellor or Keeper for the time being ſhall have power to make Commiſſioners to enquire of Money given towards the erection or maintenance of Houſes of Correction, Stocks for Poor, or other ſuch like uſes.

XIV. A Seafaring man ſuffering Shipwreck, not having wherewithal to relieve himſelf, and having a Teſtimonial under ſome Juſtice of Peace his Hand and Seal near the place where he landed, declaring the time and place of his landing, the place of his dwelling or birth, unto which he is to paſs, and the time limited for his paſſage, may in the direct way home, and within the time ſo limited for his paſſage, ask and receive neceſſary relief, without incurring the penalties of this Act.

XV. This Act ſhall not extend to Children under ſeven years old, nor to Glaſs-men which travel without begging, by Licenſes under the hands and ſeals of three Juſtices of Peace (one *Quorum*) of the County through which they travel.

XVI. Stat. 39 *El.* 17. Wandring Souldiers and Mariners, and all others wandring as Souldiers or Mariners, which will not ſettle themſelves to work, or have not a Teſtimonial under the hand of ſome one Juſtice of Peace near the place of their landing, ſetting down the place where they landed, the place whither they are to paſs, and the time of their paſſage, or, having a Teſtimonial, exceed the time therein limited above fourteen days, or counterfeit a Teſtimonial, or produce one which they know to be counterfeit, ſhall in all theſe caſes ſuffer as Felons, without benefit of Clergy.

XVII. Juſtices of Aſſize, Gaol delivery, and of Peace, in their Seſſions, have power to proceed againſt theſe offenders as in caſe of Felony without Clergy, unleſs ſome ſufficient man (allowed by the Juſtices) will enter into Recognizance of 10*l.* to the Queen, to retain the Offender for one whole year, and to bring him to the next Seſſions of Peace and Gaol-delivery after the year ended. And if he within the year depart that ſervice without licence, he ſhall afterwards ſuffer as a Felon without Clergy.

XVIII. Souldiers and Mariners which fall ſick in their paſſage home ſhall be excuſed; though they exceed the time limited in their Teſtimonial, ſo that they perform this Act in convenient time after their recovery.

XIX. If, when they come home, they cannot get work, the two next Juſtices (upon their complaint) ſhall take order that they may be provided of work, or otherwiſe ſhall tax the whole Hundred for their relief, until work may be had.

XX. The Souldier or Mariner (licenſed by a Juſtice of Peace to whom he ſhall make his poverty known) having not wherewith to bear his charges home, may ask and take relief, ſo it be in his direct way home, and within the time limited by his Licence.

XXI. Theſe offences ſhall cauſe no corruption of Blood.

XXII. Stat. 1 *Jac.* 7. Noble Perſonages ſhall authorize none to go wandring abroad; and Glaſs-men ſhall be reputed and uſed as Rogues, notwithſtanding the Statute of 39 *El.* 4.

XXIII. Inſtead of baniſhing an incorrigible Rogue, or committing him to the Gallies, (as was ordained by 39 *El.* 4.) he ſhall in open Seſſions be branded in the left ſhoulder with a burning Iron, having a great Roman R upon it as broad as a Shilling, and from thence ſhall be ſent to the place of his laſt dwelling; if that cannot be known, to the place of his Birth: After which time, if he offend again, he ſhall ſuffer as a Felon without benefit of Clergy.

XXIV. Every

XXIV. Every perſon that ſeeth or knoweth any Rogue to beg, ſhall convey, or cauſe him to be conveyed to the next Conſtable or Tithing-man, in pain of 18 *s.* to be levied and employed as the forfeitures of 39 *El.* 4. and in default thereof, then by the Lord of the Leet, or his Officer, in like manner as the perſons authorized by the ſaid Statute ſhould have levied and employed the ſame. And here alſo, if the Conſtable or Tithing-man do not puniſh him according to that Statute, he ſhall forfeit 20 *s.* to be alſo levied and employed as by the ſame Statute is appointed.

XXV. This Act ſhall not prejudice the juriſdiction of Inheritance of *John Dutton* of *Dutton* in the County of *Cheſter*, Eſquire.

XXVI. **Stat.** 7 *Jac.* 4. There ſhall be an Houſe of Correction provided in every Shire to ſet Rogues and other idle People to work.

XXVII. The Juſtices in Seſſions ſhall from time to time appoint a Governour for the ſaid Houſe, who ſhall have power to ſet ſuch Rogues and idle people to work, and to puniſh them by moderate whipping, or putting Fetters or Gyves on them; which Rogues and idle perſons ſhall not be chargeable to the Country, nor have other allowance than what they ſhall deſerve by their own labour.

XXVIII. The ſaid Juſtices ſhall at leaſt twice every year within their ſeveral diviſions (and oftner if need be) aſſemble and meet together for the better execution of this Statute, and ſome four or five days before their meeting ſhall by Warrant command the Conſtables and Tithing-men of every Hundred, Town and Hamlet, (being aſſiſted with other ſufficient men) to make a general privy ſearch in one night within their ſeveral Precincts, for the finding and apprehending of Rogues, &c. and ſuch as ſhall be found, to bring them to the ſaid meeting, to be examined, puniſhed, or ſent to the Houſe or Houſes of Correction, there to be ſet to work.

XXIX. The ſaid Conſtables and Tithing-men ſhall appear at the ſaid meeting, and there give an account upon Oath in writing under the Maſters hand; teſtifying the Rogues, &c. they have taken in the laſt ſearch or ſince the laſt meeting, and how many have been puniſhed, or otherwiſe ſent to the Houſe of Correction: Which if they neglect to do, or ſafely to convey ſuch to the Houſe of Correction, as by the ſaid Juſtices Warrant ſhall be committed thither, they ſhall incur what fine the ſaid Juſtices ſhall pleaſe to ſet upon them, ſo it exceeds not 40 *s.*

XXX. The Governours of the Houſes of Correction ſhall have ſuch a ſum of mony yearly as ſhall be thought fit by the more part of the Juſtices of Peace in Seſſions, the ſame to be paid quarterly before hand by the Treaſurers of the County, the Governours giving ſecurity for their continuance in the ſaid ſervice.

XXXI. If any lewd Woman have a Bastard which may be chargeable to the Parish, the Justices of Peace shall commit her to the House of Correction, there to be punished and set to work one whole year: And if she offend again, then she is to be committed again, there to remain till she put in good Sureties for the good Behaviour, and not to offend so again.

XXXII. Persons running away, and leaving their charge to the Parish, shall be deemed and punished as incorrigible Rogues; and those that threaten so to do, (it being proved by two Witnesses upon Oath before two Justices of Peace of the same division) shall be by the same Justices sent to the House of Correction, there to be punished as sturdy Rogues, (unless they put in sufficient Sureties to discharge the Town,) and not to be delivered but at such a meeting as aforesaid, or in open Sessions.

XXXIII. If the Governours shall not every Quarter-Sessions yield to the said Justices a true account of all such persons as shall be committed to their custody; or if they suffer any within their charge to make escape, or to be troublesom to the County by going abroad, or otherwise, they shall incur what fine the same Justices in Sessions shall think fit to impose upon them.

XXXIV. All Fines which shall accrue by this Act (other than those already limited) shall be paid to the Treasurers of the County, and by them be accounted for.

XXXV. *See Title*, Poor, *Num.* XLV. *and* XLVI.

Vestry-men.

I. Stat. 15 *Car.* 2. *Cap.* 5. An Act for the regulating select Vestries. *Expired.*

Victual, Victuallers, Inholders and Hostlers.

* I. Stat. 12 *E.* 2. 6. No person in any City or Burrough, which by reason of his Office ought to keep the Assizes of Wine and Victuals, as long as he shall be attendant upon his Office, shall buy or sell Wines or Victuals, in pain to forfeit the same to the King, whereof the Prosecutor shall have the third part of the King's gift.

II. Stat. 23 *E.* 3. 6. All Butchers, Fishmongers Regrators, Hostlers, Brewers, Bakers, Poulterers, and all other sellers of Victuals, shall sell the same at reasonable prices, and for moderate gain, in pain (upon proof of the contrary before the Sheriff or the Kings Bailiffs, or before the Constables of the place, by the evidence of two true men,) to forfeit the double value thereof to the party damnified,

or

or ſin his default) to him that will ſue for the ſame: And all Mayors and Head Officers of Corporations have like power, and upon neglect of their duty herein, ſhall forfeit the treble value thereof to the party or proſecutor, as aforeſaid; and beſides, ſhall incur a fine to the King to be impoſed by the Juſtices to be aſſigned by the King.

* III. Stat. 31 *E.* 3. 10. Every man that bringeth Victual to *London* may freely ſell the ſame, without the interruption or impeachment of any.

IV. The Mayor and Aldermen of *London* may rule and redreſs the defaults of Fiſhmongers, Butchers and Poulterers, as they do of ſuch as ſell Beer, Ale or Wine, notwithſtanding any Franchiſe, Statutes, Cuſtom, or other Priviledge to the contrary: And they ſhall put the ſame in due execution, upon the pain ordained by the Statute of 28 *E.* 3. 10. *which ſee in* London.

* V. Stat. 6 *R.* 2. *Stat.* 1. 9. No Victualler in *London*, or any other City, Borough, or Port of the Sea, ſhall exerciſe any judicial Office there; and in caſe any be choſen in the places aforeſaid into ſuch Office, he ſhall forbear to uſe Victualling during the time he exerciſeth ſuch Office, in pain to forfeit the Victuals ſold.

VI. Stat. 6 *R.* 2. 10. Aliens, (being in amity with the King and Realm) may bring in Victual, and ſell the ſame in groſs, or by retail, without the impeachment of any. *See Stat.* 11 *R.* 2. 7. 1 *H.* 4. 17. 14 *H.* 6. 6.

* VII. Stat. 7 *R.* 2. 11. All Vintners and Victuallers, as well Fiſhmongers as other, coming with their Victuals to *London*, ſhall be under the governance of the Mayor and Aldermen of that City, as hath been heretofore uſed.

* VIII. Stat. 13 *R.* 2. 8. Victuallers ſhall ſell their Victuals at ſuch reaſonable prices as ſhall be ſet down by the Juſtices of Peace in two of the Seſſions, to be holden betwixt *Eaſter* and *Michaelmaſs*, in pain to be puniſhed at the diſcretion of the ſaid Juſtices, where no pain is already limited in certain.

IX. And here Sheriffs, Stewards, Mayors, Bailiffs, and all others which have power to keep Aſſize of Bread and Ale, ſhall take no fine or amerciament for any default touching the Aſſize, for which the Offender ought by Law to have bodily puniſhment.

* X. Stat. 23 *H.* 6. 13. Juſtices of Peace ſhall twice every year cauſe all Statutes concerning Victuallers (before this time made) to be openly proclaimed in Seſſions.

* XI. Stat 12 *E.* 4. 8. No perſon (other than Mayors, Bailiffs, Lords of Leets, or others in point of Charter) ſhall execute any Office of ſearching or ſurveying of Wine, Ale, Beer, or any other Victual, or of the correction of breaking the Aſſize thereof, in pain to forfeit 40 *l.* to be divided betwixt the King and the Proſecutor. And all Letters Patents of the King granted for that purpoſe ſhall be void.

* XII. **Stat.** 3 *H.* 8. 8. When a Victualler (in a City or Corporation) is choſen to bear an Office, by reaſon whereof he ought alſo to have the Aſſizing of Victual during that time, two other (being no Victuallers) ſhall be joyned and ſworn with him, truly to aſſeſs and ſet prices and Aſſizes of victual there, and they ſhall be ſold accordingly. But here the Officers in *London*, *York*, and *Coventry* are excepted.

* XIII. **Stat.** 25 *H.* 8. 2. The prices of victual in all places (except Corporations) ſhall be aſſeſſed by the Kings Counſellors, Juſtices of either Bench, and ſome other great Officers: *For which ſee the Statute at large.*

XIV. Provided, that Head-Officers in Corporations, and others having authority to prize Victual, may ſtill aſſeſs the prices thereof, as if this Statute had not been made.

XV. No Corn, Beefs, Muttons, Veals, Porks or other victual, ſhall be tranſported beyond Sea, except for victualling of Ships, and barrelled Butter, and Meal to be carried into *Iſland*, in pain to forfeit the value thereof, to be divided betwixt the King and the Proſecutor.

XVI. **Stat.** 2 & 3 *E.* 6. 15. Butchers, Brewers, Bakers, Poulterers, Cooks, Coſtermongers or Fruiterers, which conſpire or promiſe together, that they will not ſell their victual but at certain prices, ſhall forfeit for the firſt offence 10 *l.* to the King, and if they pay it not within ſix days after conviction, they ſhall ſuffer 20 days impriſonment, and during that time ſhall have no ſuſtenance but Bread and Water; for the ſecond offence they ſhall forfeit 20 *l.* and that not paid within ſix days as aforeſaid, ſhall ſuffer the Pillory; and for the third offence ſhall forfeit 40 *l.* and that not paid within the time above limited, ſhall again ſuffer the Pillory, loſe one of their ears, and be ever after taken as men infamous and not to be credited. And if ſuch Conſpiracy be acted by the major part of the Company of ſuch Victuallers, their Corporation ſhall be thereupon diſſolved.

XVII. Juſtices of Peace, Mayors, Bailiffs and Stewards in Seſſions, Leets and Courts, have power to hear and determine theſe offences. continued and confirmed 22 & 23 *Car.* 2. *cap.* 19. and 1 *Jac.* 2. *cap.* 17.

* XVIII. **Stat.** 1 & 2 *P. M.* 5. None ſhall tranſport beyond Sea, or into *Scotland*, any corn or grain of *Engliſh* growth, or Malt made there, or any Beer, Butter, Cheeſe, Herring or Wood, without lawful Authority; in pain that the owner of the Veſſel in which they are ſo tranſported, ſhall forfeit his Veſſel; the owner of the ſaid Commodity ſo tranſported, the double value thereof; and the Maſter and Mariners all their goods, and ſuffer a years impriſonment without bail. Neither ſhall any convey by any Veſſel any of the aforeſaid Commodities to any other Ship or Veſſel to be tranſported, in pain to incur the like forfeitures and penalties.

XIX. The

XIX. The one moiety of the ſaid forfeitures ſhall accrue to the King and Queen, and the other to the Proſecutor.

XX. In caſe the King and Queen, their heirs or ſucceſſors, grant licence to tranſport ſuch Commodities, the licenſed ſhall not tranſport more than the Licence allows, in pain to forfeit the treble value thereof, and to ſuffer a years impriſonment without Bail: And ſuch Licenſed ſhall ſhip the ſaid Commodities at one and the ſame place, in pain to forfeit all his Goods and Chattels, to be divided as followeth, *viz.* the one moiety to the King and Queen, and the other to the Proſecutor.

XXI. Juſtices of the Peace have power to examine all Offenders againſt this Act, and to hear and determine (by the Oaths of 12 lawful men) the offences committed againſt the ſame.

XXII. Provided, that when Wheat ſhall not exceed the price of 6 *s.* 8 *d.* Rye of 4 *s.* and Barley of 3 *s.* 4 *d.* the Quarter, it ſhall be lawful to tranſport them, notwithſtanding this Act. Neither ſhall this Statute impeach the neceſſary victualling of Ships, or the Admirals Juriſdiction. *Howbeit, as to the tranſportation of Corn, this Statute hath ſince been divers times altered by ſundry ſubſequent Acts,* viz. 13 El. 1. Jac. 25. *and* 21 Jac. 28. *and laſt of all by* 3 Car. 4. *which ſee in* Corn, *and ſo it ſtands at this day.*

XXIII. **Stat.** 21 *Jac.* 21. The Statute of 32 *H.* 8. 41. together with other Statutes concerning Horſe-bread, is repealed.

XXIV. Inholders and all Hoſtlers ſhall make no Horſe-bread; ſhall ſell their Hay, Provender and Victuals at reaſonable prices, and ſhall take nothing for Litter.

XXV. This Act ſhall not reſtrain thoſe that live in a thorough-fare (which is no Market-Town, and wherein there is no Baker) to make Horſe-bread, according to the juſt Aſſize.

XXVI. Juſtices of *Oyer* and *Terminer*, Juſtices of Peace, Sheriffs in turns, and Stewards in Leets, have power to hear and determine theſe offences.

XXVII. If any Inholder or Hoſtler, which hath power (by this Act) to make Horſe-bread, obſerve not the Aſſize, or if he or any other offend this Law in any other kind whatſoever; for the firſt offence they ſhall be fined, for the ſecond ſuffer a months impriſonment without bail, for the third be ſet upon the Pillory, and for the fourth ſhall be fore-judged from ever keeping an Inn again.

View.

I. **West.** 2. 48. 13 *E.* 1. View of Land ſhall not be granted but where it is neceſſary. For example, if one loſe Land by default, and afterwards moveth for a Writ to demand the ſame Land; or when one by an exception dilatory abateth a Writ after a view had, as by Non-tenure, miſnaming of the Town, or the like: in theſe caſes, upon purchaſe of another Writ view ſhall not be granted, if he had view in the firſt Writ. So in a Writ of Dower, when the Dower in demand is of Land, which the Husband aliened to the Tenant or his Anceſtors, whereof the Tenant ought not to be ignorant; here, albeit the Husband died not ſeiſed, yet view ſhall not be granted to the Tenant. Alſo in a Writ of Entry, which abated becauſe the Demandant miſnamed the Entry; here, if the Demandant purchaſe another Writ of Entry, the Tenant having had view in the firſt Writ, ſhall not have it in the Second. Likewiſe in all Writs where Lands are demanded by reaſon of a Leaſe made by the Demandant or his Anceſtor to the Tenant himſelf, being within Age, *Non compos mentis*, in priſon, or the like, view ſhall not be granted; but if the demiſe were made to his Anceſtor, view ſhall lie, as hath been heretofore uſed.

II. **Stat.** *De viſu terræ, & Eſſoin de ſervitio Domini Regis*, 12 *E.* 2. view ſhall be granted in a Writ of Ward, of Cuſtoms and Services, of Advowſon of a Church, (*viz.* when there be more Churches than one in a Town, and all of one Saint,) of Dower to be aſſigned, and of *Nuper obiit*.

Villenage.

I. **The Statute of Purveyors**, *cap.* 18. 25 *E.* 3. notwithſtanding adjournment made in *Eyre* by Writ *de Libertate probanda*, purchaſed in favour of Villeins, to delay their Lords in their Actions for ſuch Villeins, the Lord may in all Writs plead the exception of Villenage againſt them, whether ſuch Writ were purchaſed by deceit or otherwiſe. The Lords may alſo ſeize their bodies, as well as they might have done before ſuch Writs *de Libertate probanda* purchaſed.

II. **Stat.** 38 *E.* 3. 17. No Writ ſhall be abated by exception of cognizance of Villenage, if the Demandant or Plaintiff will aver, that the party alledging the exception was free the day of the Writ purchaſed.

III. **Stat.** 9 *R.* 2. 2. Becauſe divers Villeins and Neifs did fly to *London*, and other enfranchiſed places, and there did feign divers Suits againſt their Lords, with intent to make themſelves free by their

their Lords anſwers; it was ordained, that from henceforth no Lord ſhould be barred of his Villein, becauſe of his anſwer in Law.

Union and Severing of Churches.

I. **Stat.** 37 *H.* 8. 21. An Union or Conſolidation of two Churches in one, or of a Church and a Chapel in one, the one of them not being above the yearly value of 6 *l.* in the Kings Books, nor diſtant from the other above a mile, may be had and made by the aſſent of the Ordinary, the Incumbents, and all ſuch as have a juſt Right, Title and Intereſt to the Patronages thereof, being of full Age: And all ſuch Union and Conſolidation ſhall remain as good in Law as if he had been ſo declared by writing under Seals of ſuch Ordinary, Incumbents and Patrons.

II. All ſuch Unions heretofore made are confirmed: Howbeit, the Kings Tenths and Firſt-fruits of ſuch Churches and Chapels already, or hereafter to be Conſolidated, are ſaved.

III. Such Conſolidations ſhall not be in Corporate Towns without the conſent of the Magiſtrates thereof declared in writing under their Common Seal.

IV. Provided, that where the Inhabitants of any ſuch Pariſh, or the more part of them, within a year after ſuch Union, by their writing ſufficient in Law, ſhall aſſure the Incumbent there and his Succeſſors ſo much mony yearly, which together with the value thereof in the King's Books ſhall amount to 8 *l.* that then ſuch Union ſhall be void. Howbeit, this *Proviſo* ſhall not extend to any ſuch Union made before this Statute.

V. **Stat.** 1 *E.* 6. 9. An Act for uniting certain Churches in *York*, with divers clauſes concerning that matter.

VI. **Stat.** 1 *M. Seſſ.* 2. *c.* 15. An Act for re-edifying the Church of St *Ellins* in *Staugate* in *York*, which was demoliſhed by the former Stat. *See thoſe Statutes at large.*

VII. **Stat.** 17 *Car.* 2. *cap.* 3. In every City or Town Corporate and their Liberties, where two or more Churches or Chapels, or a Church and a Chapel and Pariſhes thereto belonging are, the Biſhop of the Dioceſs with conſent of the chief Officer or Officers there, or the major part of them, and of the Patrons of ſuch Churches, &c. may unite them, and appoint where the Pariſhioners ſhall meet, and which ſhall be united to the other. And the Pariſhioners ſhall pay all Tithes and other duties to the Incumbent of the Church to which the other is united.

VIII. Notwithſtanding ſuch Union, the Pariſhes ſhall continue diſtinct as to all rates, taxes, Parochial rites, charges, and duties, and all reſpects whatſoever, other than what is above-mentioned; and Churchwardens ſhall be appointed for each as before.

IX. Where

IX. Where one or more of the ſaid Churches are full at the time of ſuch Union, it ſhall take effect at the next avoidance after. The Patrons ſhall preſent by turns to that which remains in ſuch order, as the Biſhop with conſent of the chief Officers there or the major part of them, and of the Patrons, &c. ſhall decree, reſpect being had to the differences of the maintenance.

X. No ſuch union ſhall be good in Law till it be Regiſtred in the Regiſter Book of the Biſhop of the Dioceſs; nor where the maintenance of the Church or Churches ſo united ſhall exceed 100 *l. per annum* clear, unleſs the Pariſhioners or the major part of them under their hands deſire otherwiſe. The Incumbents of Churches ſo united muſt be Graduates in one of the Univerſities.

XI. Owners of Impropriations, Tithes, &c. may annex the ſame to the Parſonage or Vicarage where they lie, or ſettle them in truſt for the Curates, where the Parſonage is impropriate and no Vicarage endowed, without any licence of *Mortmain*.

XII. If the ſetled maintenance of any Parſonage or Vicarages, Churches or Chapels ſo united, or of any other Parſonage or Vicarage with Cure, ſhall not amount to 100 *l. per annum* clear, the Incumbent may purchaſe to him and his Succeſſors, Lands, &c. without licence of *Mortmain*.

Univerſities.

I. **Stat.** 2 *&* 3 *P.M.* 15. No Purveyor, Taker, Badger, Loader, or other Miniſter, ſhall take or bargain for any Victual or Grain in the Markets of *Oxford* or *Cambridge*, or in any part of the ſaid City and Town, or within five miles compaſs of either of them, without the conſent of the owner; nor ſhall take away or bargain for any ſuch Commodity, bought or provided within the ſaid five miles by any common Miniſter of any College or Hall, there to be ſpent in ſuch College or Hall, in pain to forfeit the quadruple value thereof, and to ſuffer three months impriſonment without Bail.

II. The Chancellor or Vice-Chancellor, or his Commiſſary, in either of the ſaid Univerſities, with two Juſtices of Peace of the County adjacent, have power to enquire, hear and determine the ſaid offences.

III. The forfeitures ſhall be divided betwixt the Univerſity where ſuch offence is committed, and the proſecutor; and may be recovered in any Court of Record, or before the ſaid Chancellor, Vice-Chancellor, or Commiſſary, and two Juſtices.

IV. This Act ſhall be ſuſpended during the Queens preſence, her Heirs and Succeſſors, or within ſeven miles diſtance there-from.

V. The Liberties of the Mayors, Bailiffs and Commonalties of *Oxford* and *Cambridge* are ſaved.

* VI. **Stat.** 13 *El.* 21. No Purveyor, Taker, Badger, Loader, Poulterer, or other Miniſter of the Queen, her Heirs and Succeſſors, ſhall

ſhall take or bargain for any Grain or other Victual in either of the ſaid Univerſities, nor within the compaſs of five miles from either of them, without licence of either of the ſaid Chancellors, or Vice-Chancellors, in writing under the Seal of their Office, and not otherwiſe than as in the ſaid Licence is expreſſed, and ſo as the ſame give unto them no farther power thon they may lawfully uſe in other parts of the Country without the ſaid five miles; neither ſhall they take or bargain for any ſuch commodity bought and provided for any College or Hall, to be ſpent within the ſame, without ſuch Licence as aforeſaid, upon ſuch pains and forfeitures as by the Statute of 2 & 3 *P. M.* 15. are ordained, and to like uſes as are therein limited.

VII. The ſaid Chancellors, or Vice-Chancellors, with two Juſtices of Peace of the Univerſities, City, Town or Country, ſhall enquire, hear and determine the ſaid offences, as by the Statute of 2 & 3 *P.M.* is appointed.

VIII. If any perſon within the ſaid five miles refuſe to ſerve the Univerſities, then it ſhall be lawful for the Queens Purveyors to provide for the Queens uſe any corn or victual of any ſuch perſon within the ſaid five miles, as ſhall be declared to the ſaid Purveyors to be perſons not worthy of the ſaid priviledge, for not ſerving the Univerſities, by the Chancellor or Vice-Chancellor, with the conſent of two ſuch Juſtices as aforeſaid, under the hands and ſeals of the ſaid Chancellor or Vice-Chancellor and two Juſtices, in ſuch ſort as the ſaid Purveyors lawfully may in any other place without the ſaid five miles, and not otherwiſe.

IX. This Act ſhall be in ſuſpence during the Queens preſence there, or within ſeven miles diſtance.

X. The Liberties of the Mayors, Bailiffs and Commonalties of *Oxford* and *Cambridge* are ſaved.

Voucher.

I. **Marlb.** 24. 52 *H.* 3. None vouched to Warranty before Juſtices in *Eyre* in plea of Land, ſhall be amerced, becauſe he was not preſent when he was vouched, except it be the firſt day of the coming of the Juſtices; but if the party be within the County, the Sheriff ſhall cauſe him to come in within three or four days; if out of the County, he ſhall have ſummons of 15 days at leaſt.

II. **Weſt.** 1. 40. 3 *E.* 1. In Writs of Poſſeſſion, as *Mortdanceſtor, Coſinage, Ayel, Nuper obiit, Intruſion,* or the like, whereby Land is demanded which ought to deſcend, revert, remain or eſcheat by the death of any Anceſtor or otherwiſe, if the Tenant vouch to Warranty, and the Demandant will counterplead him, and aver by Aſſize, or by the Country, as the Court ſhall award, that the Tenant or his Anceſtor (whoſe Heir he is)

was

was the first that entred after the death of him of whose seisin he demandeth, this averment shall be received, if the Tenant will abide thereupon; but if not, he shall be compelled to another answer, unless he have his Warrantor present, who will immediately enter into the Warranty: And then also the Demandant may have the like exception against the Vouchee as he had against the first Tenant.

III. In a Writ of Entry in the degrees none shall vouch out of the line.

IV. In Writs of right and of possession (as before) it is also a good counterplea, that neither the Vouchee nor his Ancestors had ever seisin of the land, or any thing in the services by the hand of the Tenant or his Ancestors, from the time of the seisin, whereof the Demandant declares, until the Writ purchased, so that he might make a Feoffment to the Tenant or his Ancestors; and this Averment of the Demandant shall be also received, if the Tenant will abide thereupon; but if not, the Tenant shall be compelled to another, as before, unless the Vouchee be present, and will immediately enter into Warranty, and then also the Demandant may have like exception as before.

V. If the Tenant have a Deed that compriſed Warranty of another man, his recovery by a Writ *De Warrantia chartæ* out of the Chancery shall be saved to him; howbeit the Plea shall not be delayed by reason thereof.

VI. **Statute** *of Glouceſter*, 12. *6 E.* 1. If a man impleaded for a Tenement in *London* vouch a foreigner to warranty, he shall have a Writ out of the Chancery, to summon the Warrentor at a certain day before the Justices of the Bench, and another to the Mayor and Bailiffs of *London*, to surcease the matter before them, until the plea of the Warranty be determined in the Bench; and when the plea at the Bench shall be determined, then shall the Vouchee be commanded to go into the City to answer the chief Plea; and a Writ shall also be awarded at the Demandant's suit, by the Justices to the Mayor and Bailiffs, to cause them to proceed in the Plea: And if the Demandant recover against the Tenant, the Tenant shall come before the Justices of the Bench, who shall direct a Writ to the Mayor and Bailiffs, to cause the land so lost by the Tenant to be extended and valued, and to return that Extent at a certain day unto the Bench; and after the Sheriff of the County (where the Warranty was summoned) shall be commanded to deliver to the Voucher land of the Vouchee, answerable in value to the land that the Voucher hath lost. *See a correction and some other enlargement of this Statute, 9 E.* 1.

VII. **Weſt.2.6.** 13 *E.* 1. As the Tenant shall lose the land in demand, in case where his Vouchee dischargeth himself of the Warranty; so also shall the Vouchee lose, where he denieth the Warranty, and it be tried against him. Also where an Enquest is depending

pending between the Tenant and his Vouchee, and the Demandant will require a Writ to cauſe the Jury to come, it ſhall be granted him.

VIII. **Stat. of Vouchers**, 20 *E.* 1. This counterplea of Voucher, *viz.* that neither the Vouchee nor his Anceſtors had ever any thing in the land, ſo that he might make a Feoffment with Warranty ſhall be received, albeit the Vouchee be ready to enter into Warranty.

IX. **Stat.** 14 *E.* 3. 18. Where the Tenant voucheth to Warranty a dead man, the Demandant ſhall be received to aver that the Vouchee is dead, and that there is none ſuch.

Upholſters.

* I. **Stat.** 11 *H.* 7. 19. None ſhall put to ſale in Fairs or Markets any Featherbeds, Bolſters or Pillows, except ſuch as are ſtuffed with one ſort of ſtuff, *viz.* dry pulled Feathers, or clean Down, and not with ſcalded Feathers, Fen-down, or any other unlawful corrupt ſtuff, in pain to forfeit the ſame. Howbeit any (for their private uſe) may make or cauſe to be made any ſuch unlawful ſtuff or wares, ſo as the ſame be not expoſed to ſale in Fairs or Markets, upon the like pain.

II. Alſo Quilts, Mattreſſes and Cuſhions, ſhall be ſtuffed with one ſort of ſtuff only, *viz.* clean Wool, or clean Flocks, and not with Moſſe hair, Fen-down, Neats-hair, Goats hair, or other unlawful ſtuff, in pain to forfeit the ſame.

* III. **Stat.** 5 *&* 6 *E.* 6. 23. None ſhall make (to the intent to ſell or offer to be ſold) any Feather-bed, Bolſter or Pillow, except the ſame be ſtuffed with dry pulled Feathers, or clean Down only, without mingling of ſcalded Feathers, Fen-down, Thiſtle-down, Sand, Lime, Gravel, or other unlawful or corrupt ſtuff, in pain to forfeit the ſame (ſo offered to be ſold) or the value thereof.

IV. None ſhall make (to the intent to ſell or offer to be ſold) any Quilt, Mattreſs or Cuſhions, ſtuffed with any other ſtuff than Feathers, Wool, or Flocks alone, in pain to forfeit the ſame (ſo ſold or put to ſale) or the value thereof.

V. The Forfeitures aforeſaid are to be divided betwixt the King and the Proſecutor.

Uſes.

I. **Stat.** 1 *R.* 3. 1. All Grants, Conveyances, Recoveries and other Aſſurances, made by *Ceſtuy que uſe*, (being of full age, *compotentis*, and at large) ſhall be good againſt him, and all others claiming as his or her Heirs, or to his uſe. But here, the right of all others is ſaved.

II. **Stat.** 1 *H.*7.1. The Demandant in a Formedon (in deſcender or remainder) may have his Action againſt the Pernor of the profits, and ſuch Pernor ſhall have ſuch Voucher, Lyen, Aid Prayer, and and all other advantages, as he ſhould have if he were Tenant in deed, or his Feoffors ſhould have if the Action were brought againſt them: And if ſuch Pernor happen to die, his heir being within age, his heir ſhall alſo have his age, and all other advantages, as if his Anceſtor had died ſeiſed of the land in demand. Alſo all Recoveries had againſt ſuch Pernors, their Heirs or their Feoffees, or Co-feoffees and their Heirs, ſhall be as good as if ſuch Pernors were Tenants in deed, or Feoffees to their uſe, at the time of ſuch Actions brought.

III. **Stat.** 3 *H.*7.4. All Deeds of gift of goods and chattels made in truſt to the uſe of the Grantor ſhall be void.

IV. **Stat.** 19 *H.*7.15. The Sheriff or other Officer having a Writ to execute upon lands againſt any perſon upon any Judgment, Statute, or Recogniſance, may deliver Execution to the Plaintiff of all Lands and Tenements whereof any other is ſeiſed to the uſe of him againſt whom Execution is uſed.

V. Alſo the heir of *Ceſtuy que uſe* of land in ſocage ſhall pay Relief, Herriot, and all other duties, to the Lord of the Fee, as if his Anceſtors had died ſeiſed thereof.

VI. Howbeit, upon ſuch Execution ſerved as aforeſaid, *Ceſtuy que uſe* ſhall have all ſuch advantage as he might have if he were ſeiſed of the land.

VII. *Ceſtuy que uſe* being a Bond man, the Land may be ſeiſed by his Lord.

VIII. **Stat.** 27 *H.*8.10. Where any perſon or perſons ſtand or be ſeiſed of any Honours, Manors, Lands, Tenements, Rents, Services, Reverſions, Remainders, or other Hereditaments, to the uſe confidence or truſt of any other perſon or perſons, or of any Body Politick, by reaſon of any bargain, ſale, feoffment, fine, recovery, covenant, contract, agreement, will, or otherwiſe; in every ſuch caſe every ſuch perſon and perſons, and Body Politick, having ſuch uſe, confidence or truſt, in fee-ſimple, fee tail, for life or years, or otherwiſe, or any uſe confidence or truſt, in remainder or reverter, ſhall ſtand and be ſeiſed, and deemed and adjudged in lawful, ſeiſin, eſtate and poſſeſſion of and in the Honours, Caſtles, &c. with the appurtenances of and in ſuch like Eſtates as they have in uſe,

truſt

truſt or confidence, of or in the ſame: And the eſtate, title, right and poſſeſſion of ſuch perſon or perſons as are ſeiſed of any Lands, Tenements, or Hereditaments, to the uſe, confidence or truſt of any ſuch perſon or perſons, or Body Politick, ſhall be deemed and adjudged to be in him or them that have ſuch uſe, confidence or truſt, of any ſuch quality, manner, form and condition, as they had before in or to the uſe, confidence or truſt that was in them.

IX. When divers perſons are ſo ſeiſed to the uſe, confidence or truſt of any of themſelves, they amongſt them that have ſuch uſe or truſt ſhall likewiſe have the ſeiſin, eſtate and poſſeſſion, in ſuch quality manner and condition, as they had the uſe or truſt.

X. Howbeit, the right, title, &c. of all other (except of the perſons ſo ſeiſed to any uſe or truſt) is ſaved, and all former right, title, &c. is alſo ſaved to them.

XI. Where any be ſeiſed to any uſe or intent, that another ſhall have a yearly rent out of the ſame lands, *Ceſtuy que uſe* of the rent ſhall be deemed in the poſſeſſion thereof, of like eſtate as he or ſhe had that uſe, and ſhall diſtrain for non-payment of the ſaid rent, and make Avowries, Conuſances and Juſtifications, and uſe all other remedies therein, as if the ſaid rent had been actually granted to ſuch *Ceſtuy que uſe*,

XII. Where an eſtate is made in poſſeſſion or uſe to husband and wife, and his heirs or the heirs of their two bodies, or of one of their bodies, or to them for their lives, or for the wifes life for her Joynture; in any of theſe caſes ſhe ſhall not have Dower. Howbeit, upon a lawful eviction of that Joynture ſhe ſhall be endowed according to the rate of her husbands lands whereof ſhe was dowable.

XIII. Such a Joynture being made after Marriage, the wife (after her husbands death) may refuſe it, and betake her to her Dower, unleſs ſuch Joynture be made by Act of Parliament.

XIV. Provided that this Act ſhall not extinguiſh, releaſe, diſcharge or ſuſpend any Statute, Recognizance, or other Bond, by the execution of any eſtate ſetled by force of this Act.

XV. All Wills and Teſtaments heretofore made, or hereafter to be made before the firſt of *May* 1536. ſhall be good in Law, in ſuch manner as they were commonly taken and uſed within 40 years before the making of this Act.

XVI. The King ſhall not take advantage by occaſion of the executing of any eſtate by authority of this Act, before the firſt of *May* 1536. *viz.* by having or demanding any *Primer ſeiſin*, Livery, *Ouſter le main*, Fine for alienation, Relief or Herriot; but after that time Fines for alienations, Reliefs and Heriots ſhall be paid to the King, and alſo Liveries and *Ouſter le mains* ſhall be uſed for uſes, truſts and confidences, which ſhall be from thenceforth made and executed in poſſeſſion by force of this Act; neither ſhall any other

Lord demand or take any Fine, Relief or Herriot, by occaſion of this Statute, before the firſt day of *May* 1536.

XVII. This Act ſhall not be prejudicial to any perſon or perſons born in *Wales*, or the Marches thereof, who have any eſtate to them executed by force of this Act in any Lands in this Realm, whereof any other perſon now ſtands ſeiſed to their uſe; but ſuch perſon or perſons born there may lawfully have and keep all ſuch lands by authority of this Act, according to the tenor thereof.

☞ Usury.

* I. **Stat.** 37 *H.*8.9. None ſhall ſell his wares or merchandize to any, and within three months after buy the ſame again at a leſſer price, knowing them to be the ſame wares; or buy any corrupt bargain of wares, mony, or other things; or buy any Mortgage of land, and take in gain, for giving day of payment, more than according to the rate of 10 *l. per centum* for one whole year; in pain to forfeit the treble value of the profits of ſuch lands mortgaged, to be divided betwixt the King and the Proſecutor, and beſides to ſuffer impriſonment, and make fine at the Kings will.

II. **Stat.** 13 *El.* 8. All Bonds, Contracts and Aſſurances upon Uſury, in lending or doing any thing contrary to the Statute of 37 *H.*8.9. ſhall be void; and all Brokers and Solicitors thereof ſhall be adjudged and uſed as Counſellors, Attorneys, or Advocates, in the caſe of *Præmunire*.

III. He that takes no more than after the rate of 10 *l. per cent.* or leſs, ſhall only forfeit the intereſt, to be recovered and employed as the forfeitures of 37 *H.*8.9.

IV. Juſtices of *Oyer* and *Terminer*, of Aſſize, and of Peace, in their Circuits and Seſſions, and Mayors, Sheriffs, and Bailiffs of Cities, have power to hear and determine all offences committed againſt 37 *H.*8.9.

V. The Statute of 37 *H.* 8. 9. ſhall be conſtrued largely and ſtrongly againſt the party offending by any way or device, directly or indirectly.

VI. This Act ſhall not extend to any allowances or payments for the finding of Orphans, according to the ancient rates of *London*, or of any other City, where order is taken for their cuſtody and goods, as in *London*.

VII. The offender againſt the *Stat.* of 37 *H.*8.9. may alſo be puniſhed by the Eccleſiaſtical Laws.

VIII. **Stat.** 21 *Jac.* 17. None ſhall, upon any contract, directly or indirectly take for the loan of any mony or other commodities above the rate of 8 *l. per cent.* for one whole year, in pain to forfeit the treble value of the mony, or other things lent.

IX. No

IX. No Scrivener, Broker or Solicitor, ſhall take or receive, directly or indirectly, for Brokage above the rate of 5 *s.* for the loan of 100 *l.* for one whole year, nor above 12 *d.* for making a Bond, in pain to forfeit 20 *l.* to be divided betwixt the King and the Proſecutor, and alſo to ſuffer 6 months impriſonment.

X. **Stat** 12 *Car.*2. *c.*13. None ſhall take directly or indirectly for the Loan of Mony, or any Commodities, above the value of 6 l. for the forbearance of 100 *l.* for a year, and ſo after that rate, all Bonds, Contracts, &c. whereupon more ſhall be reſerved, ſhall be void. They that receive more ſhall forfeit the treble value of the mony or other things lent.

XI. Scriveners, Brokers, Solicitors, &c. that ſhall take for Brokage, directly or indirectly above the rate of 5 *s.* for the loan or forbearing of 100 *l.* or 12 *d.* for making a Bond or Bill concerning the ſame, ſhall forfeit 20 *l.* and have impriſonment for half a year; the one half of theſe forfeitures to be to the King, the other half to Proſecutor. Confirmed 13 *Car.*2.*cap.* 14.

Wager of Law.

I. **Magna Chart.** 28. 9 *H.*3. NO Bailiff ſhall put any man to his open Law, or to an Oath, upon his own bare ſaying, without faithful witneſſes brought in for the ſame.

II. **Stat.** 38 *E.*3.5. Any man may wage his Law (by ſufficient People of his condition) againſt *Londoners* Papers, and the Creditor ſhall take ſurety otherwiſe, if he pleaſe; but ſhall not put the party to plead to the Enqueſt, unleſs he will do ſo of his own accord.

III. **Stat.** 5 *H.*4.8. In Actions of Debt upon arrearages of an account, feigning (to the intent to put the Defendants from their law) that the ſame was found before their Apprentices or Servants, as Auditors aſſigned therein, it ſhall be in the Judges diſcretion, upon the examination of the Attorneys, (or whom elſe they pleaſe) to receive the Defendants to their Law, or to try the ſame by Enqueſt.

Wales.

I. *In the ſecond Volume of the Book of Old Statutes is a long Act made* Anno 12 E.5. *entituled*, Statuta Walliæ, *whereby it appeareth, that* Wales *was then incorporated and united to* England; *and there you ſhall alſo find many good Laws concerning the diviſion of* Wales *into Counties, Trials and diviſion of Actions, together with divers forms of Writs, and the proceeding thereupon much like to the Laws of* England. *For all which ſee there that Act at large.*

II. Stat. 28 E. 3. 2. All Lords of the Marches of *Wales* ſhall be perpetually attending and annexed to the Crown of *England*, as they and their Anceſtors have been in times paſt, and not to the Principality of *Wales*, in whoſe hands the ſame ſhall come.

III. Stat. 9 H. 4. 4. No Thief or Felon in *Wales* (openly known) ſhall be ſuffered to diſclaim out of the Seigniory where the Felony was committed; but ſuch manner of diſclaimer ſhall be from henceforth utterly put out; and ſuch Thieves ſhall be put to anſwer to Indictments and other accuſations in the Seigniory where they are taken, without being delivered by diſclaiming or Letters or Mark.

IV. Stat. 2 H. 5. Stat. 2. 5. If a *Welſh*-man, that doth forceably take and detain an *Engliſh*-man until he be ranſomed, will not, upon Proceſs awarded againſt him by the Juſtices, appear and anſwer the ſame until he be Outlawed; the Juſtices ſhall certifie the ſame under their Seals to the Officers of the Seigniories where ſuch Outlaw is, who ſhall apprehend and do execution upon him according to the Law. *But this is now altered by* 27 H. 8. 26. *which ſee after.*

V. Stat. 26 H. 8. 4. Forthwith upon the Charge given to an Enqueſt in *Wales*, or the Marches thereof, upon any traverſe againſt the King, or trial of any Recognizance broken, or any forfeiture due to the King, or upon trial of any Murtherer, Felon or Acceſſary, an Officer or other perſon ſhall be deputed and ſworn in open Court for the true keeping of the Jurors, who (without ſpecial Order of the Court) ſhall not ſuffer them to have any bread, drink, meat, fire, or light, nor to ſpeak to any perſon whatſoever, nor ſhall ſpeak to them himſelf, before they are agreed upon their Verdict, unleſs it be only to ask them whether or no they are agreed; and all this ſuch Keeper ſhall obſerve, in pain to be impriſoned and fined at the diſcretion of the Court.

VI. Here, if the Jurors give any untrue Verdict againſt the King, contrary to good and pregnant Evidence, or otherwiſe miſdemean themſelves the Lord Preſident and Council (upon complaint thereof) have power to convent them before the ſaid Council, and to puniſh them at their diſcretions.

VII. Stat. 26 H. 8. 6. All perſons dwelling in *Wales*, or the Marches thereof, upon warning of any Court to be kept within their reſpective Limits, ſhall appear there in proper perſon to do their ſervice, in pain of ſuch Fines, Forfeitures and Amerciaments, as ſhall be aſſeſſed upon them by the reſpective Courts where they owe ſuch ſervice, to be levied by diſtreſs to the uſe of the King within his Lordſhips there and of other Lords Marchers within theirs.

VIII. If any Steward or other Officer there do feign any untrue ſurmiſe againſt any perſon that ſhall ſo appear, as aforeſaid, and thereupon commit him to Priſon, contrary to Law, or the Cuſtom of that Lordſhip, the Commiſſioners or Council (upon complaint) have power to ſend for ſuch Steward or Officer; and if upon good proof

proof it be found that the party was ſo impriſoned without lawful cauſe, they ſhall aſſeſs ſuch Steward or Officer to pay him 6 *s.* 8 *d.* for every day of his impriſonment, or more at their diſcretions, as the damage ſhall deſerve; the Commiſſioners ſhall alſo fine him to the Kings uſe, whether he appear or not, and may compel him by impriſonment to pay ſuch fines and penalties both to the King and the party grieved.

IX. None in *Wales*, or the Marches thereof, coming to any Seſſions or Court there, ſhall bring or cauſe to be brought thither, or to any other place within two miles thereof, or to any Town, Church, Fair Market, or other Congregation, except upon a Hue and Cry, into the High way, in affray of the Peace of the Kings People, any Bill, Low-bow, Croſs-bow, Hand-gun, Sword, Staff, Dagger, Halbert, Moreſpike, Spear, or any other Weapon, privy Coat, or Armour, in pain to forfeit the ſame; unleſs it be by the command or licenſe of the Juſtices, a Steward, or other Officer, or of the Commiſſioners or Council there.

X. None, without the Commiſſioners licence in Writing, ſhall there, or in the Counties therto adjoyning, require or levy any *Commoth Bydal*, Tenants Ale, or other Collection, or exact any mony, goods, or other thing, under colour of marriage, or ſuffering of their Children ſaying or ſinging the firſt Maſſes, or Goſpels of any Prieſts or Clerks, or for the Redemption of any Murther, or other Felony, or for any other cauſe whatſoever; or ſhall make or procure to be made any games of running, wreſtling, leaping, or any other games, the game of ſhooting only excepted; in pain to ſuffer a years impriſonment, and to be fined at the diſcretion of the Commiſſioners, who ſhall by this Act have power to hear and determine the ſaid offences: Neither ſhall any caſt any *Arthel* in any Court there, by reaſon whereof it may be letted or diſcontinued at that time, in pain to ſuffer a years impriſonment.

XI. Courts in *Wales* and the Marches thereof ſhall be kept in the moſt ſure and peaceable place of each Lordſhip Marcher, where the Juſtice, Steward, or other Officer thereof ſhall appoint.

XII. Juſtices of Peace and Gaol-delivery in the Counties next adjoyning to *Wales*, where the Kings Writ runneth, may hear and determine the offences of counterfeiters, waſhers, clippers, or diminiſhers of Coin, and all Felonies, and their Acceſſaries, committed in *Wales* or the Marches thereof: And Acquittal or Fine making for any of the ſaid offences in any Lordſhip Marcher, ſhall be no Bar for any perſon or perſons indicted for the ſame within two years next after ſuch offence committed.

XIII. The ſaid Juſtices of Peace and Gaol-delivery have power to award all manner of Proceſs, as well of Outlawry as otherwiſe, againſt every ſuch offender, and ſhall ſend to the Lord or Officer of the Lordſhip where the Offender is reſient, a Certificate under the Seals of two of them at leaſt, of any ſuch Outlawry or

Attainder, commanding him, under the pain of 100 *l.* to be forfeited to the King, to apprehend, or cauſe to be apprehended, the body of ſuch offender, and ſafely to keep him until ſuch convenient time, before the next Gaol delivery of the County where he was ſo Outlawed, as ſhall be thought fit for his conveyance thither; and then he ſhall be conveyed from Marcher to Marcher, by the Lords or Officers thereof, to the ſaid next Seſſions of Gaol-delivery of the County where he was ſo Outlawed, as aforeſaid. And here, the Lords Marchers and Officers aforeſaid, by whom he is ſo to be conveyed, ſhall not be negligent therein, in pain to forfeit, (each of them ſo making default) 100 *l.* to be levied to the Kings uſe. Alſo the ſaid Lords or other Officers ſhall at the ſaid Seſſions make due return of ſuch Certificate upon the like pain. Howbeit here, all traverſes, challenges, exceptions, advantages and all other Pleas upon any ſuch Outlawry, are ſaved to the offender.

XIV. Here an Offender attainted of Felony as principal or acceſſary, upon Surety found to the good Behaviour, may (for one time only, by the aſſent of the Preſident and two Commiſſioners) be diſcharged, and admitted to a Fine, to be levied for the Kings uſe, ſo as no Appeal be then depending againſt him for ſuch Offences.

XV. Provided that this Act ſhall not extend to abridge the liberty of any Lords Marchers, unleſs ſuch Offender be Outlawed or Attainted by force of this Act within two years after the offence committed.

XVI. All Felonies and their Acceſſaries committed in the County of *Merioneth* ſhall be inquired, heard and determined in the Counties of *Carnarvan* or *Angleſey*, before the Juſtice of *North-Wales*, or his Deputy, by Enqueſt of *Carnarvan* and *Angleſey*, or otherwiſe, at the diſcretion of ſuch Juſtice or his Deputy.

XVII. All Officers and their Deputies upon command of the Commiſſioners or Council, ſhall bring, ſend or deliver every Offender in Felony to the Officer of the Lordſhip Marcher, or other place where the offence was committed upon the bounds of ſuch Lordſhip, or to the ſaid Commiſſioners or Council, as ſuch Officers ſhall be commanded, in pain of 40 *l.* which command ſhall be ſent by a Serjeant at Arms, or a Purſivant, then attendant upon the ſaid Council.

XVIII. ☞ Stat. 27 *H.* 8. 7. All the Kings Subjects and Friends may paſs freely on horſe-back or on foot, and with Cattel, Wares, or otherwiſe, through all or any of the Foreſts in *Wales*, without payment of any unlawful exactions, or ſuffering any other damage whatſoever. And no Foreſter or other ſhall commit any ſuch offence, in pain to be tried for the ſame as Robbers, before the Juſtices of Peace of the Shire adjoyning.

XIX. Cattel

XIX. Cattel which ſtray into any Foreſt there, and are challenged within a year and a day by the right owner, ſhall be re-delivered unto him upon demand; and if the Foreſter or other Officer or Farmer there refuſe to re-deliver them, they ſhall forfeit to ſuch Owner double the value of ſuch Cattel, and he may have an Action of *Detinue* for the recovery of them, to be tried in the County next adjoyning; in which Action like Proceſs of Outlawry ſhall be had, as in an Action of Treſpaſs at the Common Law.

XX. Stat. 27 *H.* 8. 26. *Wales* ſhall be incorporated, united and annexed to and with *England*, and all perſons born there ſhall enjoy all Liberties as other Subjects in *England* do; alſo Lands ſhall deſcend there according to the *Engliſh* Laws, and not after the form of any *Welſh* Laws or Cuſtoms.

XXI. The Laws and Statutes of this Realm, and none other, ſhall be had, uſed and executed in *Wales*, in like manner as in this Realm, and as ſhall be farther declared by this Act.

XXII. Divers Lordſhips Marchers are united to *Engliſh* Counties, others to *Welſh* Counties, and the reſidue are divided into new particular Counties by themſelves, *viz. Monmouth, Brecknock, Radnor, Montgomery* and *Denbigh*.

XXIII. The County of *Monmouth* ſhall conſiſt of theſe Lordſhips, Townſhips, Pariſhes, Commotes and Cantredes; *viz. Monmouth, Chepſtow, Maherne, Llanehangle, Magor, Goldecliff, Newport, Wenlong, Llanwerne, Caerlion, Uske, Trelecke, Tinterne, Skinfreth, Grouſmount, Witecaſtle, Ragland, Calicote, Biſton, Abergavenny, Penroſe, Greenfield, Maghen*, and *Hochuyſtade*; all which ſaid places ſhall be hereafter guildable, and reputed as parts and members of the County of *Monmouth*, whereof *Monmouth* ſhall be reputed the Shire-Town: And the Sheriff of the County ſhall keep his County-Court at *Monmouth* and *Newport, alternis vicibus*.

XXIV. All Actions for Lands and other things may be laid and ſued in the County of *Monmouth*, and tried there by Aſſiſe of *Niſi prius* and *Venire facias*; and all other Proceſs may be awarded thither by the Juſtices: Alſo the Inhabitants there ſhall be obedient to the Kings Officers and Laws; and the Sheriffs and Eſcheators of that County ſhall perform their duties, and render an account in the Exchequer, as is uſed in or for any other County of *England*.

XXV. The Lordſhips, Towns, &c. to be reputed members of *Brecknockſhire*, ſhall be *Brecknock, Creckehowel, Tretoure, Penkelly*, Engliſh *Talgarth*, Welſh *Talgarth, Dians*, the *Hay, Glinebogh; Broynlles, Canterholy, Lando, Blainlilby, Eſtradow, Buelthe* and *Lingros*: Alſo the Shire-Town ſhall be *Brecknock*, and the Shire-Court ſhall be kept there.

XXVI. The Lordſhips, Towns, &c. of *Radnorſhire*, ſhall be *New-Radnor, Eliſhperman, Elvelles, Boughred, Glaſebury, Glawdiſtre, Mihelles Church, Meleneth, Blewagh, Knighton, Norton, Preſton*,

Commorhader, *Rayder*, *Gwethronyon*, and *Stonage*: Here alſo *New-Radnor* ſhall be the Shire-Town, and the County or Shire Court ſhall be holden at *New-Radnor* and *Rether-Gwy* in the ſame County, *alternis vicibus*.

XXVII. Thoſe of *Montgomeryſhire* ſhall be, *Montgomery*, *Cedwenkery*, *Cawryland*, *Aruſtely*, *Kaviliocke*, *Doythur*, *Poweſland*, *Cluneſland*, *Baleſle*, *Tempceſter*, and *Alceſtre*: Whereof *Montgomery* ſhall be the Shire-Town, and the County-Court ſhall be holden there; and at *Maghenteth* in the ſame County, *alternis vicibus*.

XXVIII. Thoſe of *Denbighſhire* ſhall be *Denbyland*, *Ruthin*, *Saint Knylleth owen*, *Bromfield*, *Yale*, *Chirk*, *Chickland*, *Molesdale*, and *Hopesdale*: The Shire-Town alſo ſhall be *Denbigh*, and the County-Court ſhall be holden at *Denbigh*, and *Wrexham* in the ſaid County, *alternis vicibus*.

XXIX. The King ſhall yearly appoint Sheriffs, Eſcheators, and other Officers Accomptants for the Counties of *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*, and ſhall have a Chancery and Exchequer at *Brecknock*, where the ſaid Officers of the Counties of *Brecknock* and *Radnor* ſhall yearly account before ſuch Auditors, Chamberlain and Baron, as the King ſhall appoint for that purpoſe. There ſhall be alſo another Chancery and Exchequer at *Denbigh*, where the ſaid Officers of the Counties of *Montgomery* and *Denbigh* ſhall alſo account before ſuch Auditors, Chamberlain and Baron, as aforeſaid.

XXX. Juſtice ſhall be adminiſtred and executed in the Counties of *Brecknock*, *Radnor*, *Montgomery*, and *Denbigh*, according to the Laws and Statutes of *England*, and ſuch other Cuſtoms and Laws now uſed in *Wales* as the King and his Council ſhall allow, by ſuch Juſtice or Juſtices as ſhall be thereunto appointed by the King, and after ſuch manner as Juſtice is adminiſtred in the Counties of *North-Wales*.

XXXI. In the Marches of *Wales* there ſhall be made guildable and annexed to the County of *Salop*, the Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantredes, of *Oſweſtrie*, *Whetington*, *Masbroke*, *Knoking*, *Elleſmer*, *Down*, and *Cherbury* Hundred. Here alſo *Oſweſtrie*, *Whetington*, *Masbroke* and *Knoking*, ſhall be known by the name of the Hundred of *Oſweſtrie*, and the Inhabitants thereof ſhall be attendant at Seſſions, Aſſizes, and Gaol delivery, as the Inhabitants of other Hundreds within the ſaid County of *Salop* uſe to do: Alſo *Elleſmere cum membris* ſhall be united to the Hundred of *Pimhill in Com. Salop*, and the Inhabitants thereof ſhall be attendant as aforeſaid; likewiſe the Lordſhip of *Down cum membris* ſhall be united to the Hundred of *Cherbury in Com. Salop*, and the Inhabitants thereof ſhall give their attendance as aforeſaid. Howbeit, neither the ſaid Hundreds of *Cherbury* nor *Oſweſtrie*, nor the Lordſhip of *Elleſmer*, ſhall be hereby otherwiſe privileged than

as

as Hundreds annexed to the County of *Salop*, as other Hundreds be within the ſaid County.

XXXII. In like manner the Lordſhips, Towns, Hundreds, &c. annexed to the County of *Hereford* are, *Ewyas Lacy*, *Ewyas Harold*, *Clifford*, *Winſorton*, *Yerdeſley*, *Huntington*, *Whitney*, and *Wigmore* and *Logharnes*, and *Stepliton*. Whereof *Wigmore* and *Logharneis*, with their members, ſhall be called the Hundred of *Wigmore*; and *Ewyas Lacy*, *cum membris*, the Hundred of *Ewyas Lacy*, but *Ewyas Harold* ſhall be united to the Hundred of *Webtree* in *Com. Hereford*; and *Clifford*, *Winſorton*, *Yerdeſley*, *Whitney* and *Huntington*, ſhall be called the Hundred of *Huntington*. Here alſo the Inhabitants ſhall be attendant at Seſſions, Aſſizes and Gaol-delivery holden for the County of *Hereford*; but theſe Lordſhips, &c. ſhall claim no privilege but as Hundreds or members of the Hundreds of the ſame County.

XXXIII. Likewiſe the Lordſhips, Towns and Pariſhes of *Wollaſton*, *Tidman* and *Becheby*, and all Honours, Lordſhips, Caſtles, Lands, Tenements and Hereditaments, lying between *Chepſtow*-Bridge and *Glouceſterſhire*, ſhall be annexed to the County of *Glouceſter* as part thereof, and ſhall be parcel of the Hundred of *Weſebury* in that County: Alſo the Inhabitants thereof ſhall be attendant as aforeſaid, and ſhall claim no privilege but as members of the Hundred of *Weſebury* aforeſaid.

XXXIV. Gowerwilney, *Biſhops-town*, *Landaffe*, *Signithe ſupra*, *Signithe ſubtus*, *Mitkin*, *Ogmore*, *Glencothney*, *Tallagarn*, *Ruchin*, *Tallavau*, *Lamhelthion*, *Lantwid*, *Tyerial*, *Avan*, *Neth*, *Landway*, and the *Clays*, ſhall be guildable and united to the County of *Glamorgan*; and juſtice ſhall be adminiſtred in *Glamorganſhire*; (ſo united) according to the Laws of *England*, as in the three Counties of *North-Wales*) and not acccording to the *Welſh* Laws.

XXXV. Lanemthevery, *Abermeles*, *Redwely*, *Elkenning*, *Cornwolthon*, *Newcaſtle*, *Emlin*, and *Abergoyly*, ſhall be guildable, and annexed to the County of *Caermarthen*; where alſo Juſtice ſhall be adminiſtred as aforeſaid.

XXXVI. Haverford-weſt, *Kilgaran*, *Lanſteffan*, *Langhern*, alias *Tellanghern*, *Walwinſcaſtle*, *Dewis-land*, *Lannihaddein*, *Tanfrey*, *Herberth*, *Slebeche*, *Roſmarket*, *Caſtellan*, and *Land of Loure*, ſhall be guildable and annexed to the County of *Pembroke*; wherein Juſtice ſhall be adminiſtred as aforeſaid.

XXXVII. Tregarn, *Genarglin*, *Landwy* and *Ureney*, ſhall be guildable, and united to the County of *Cardigan*; and there alſo Juſtice ſhall be adminiſtred as aforeſaid.

XXXVIII. Mountway ſhall be guildable, and annexed to the County of *Merioneth* in *North-Wales*, as a Commote or part thereof.

XXXIX. All

XXXIX. All Justices, Commissioners, Sheriffs, Coronors, Escheators, Stewards, and their Lieutenants, and all other Officers and Ministers of Law, shall proclaim and keep Sessions, Courts, Hundreds, Leets, County-Courts, and all other Courts, in the *English* Tongue; and all Oaths of Officers, Juries and Enquests, and all Affidavits, Verdicts, and Wagers of Law, shall be given and done in the same Tongue.

XL. None that use the *Welsh* Language shall have or enjoy any Office or Fees in any of the Kings Dominions, but shall forfeit them unless he use the *English*.

XLI. The Sheriffs of *Monmouth*, *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*, shall put every unruly person under common Mainprise, as the Sheriffs of the three Counties of *North-Wales* use to do.

XLII. The Sheriff of *Monmouth* shall certifie such Recognisances common Mainprize, and Surety of Appearance, at every Quarter Sessions of that County; and the persons so bailed shall appear at the two next Sessions holden at *Easter* and *Michaelmass*, until they be released.

XLIII. The Sheriffs of *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*, shall certifie such Recognizances, &c. before such Justice as the King shall appoint, at every Sessions to be holden in the said Counties.

XLIV. All persons under Bail for appearance in the County of *Brecknock*, *Radnor*, *Montgomery*, *Denbigh*, *Glamorgan*, *Caermarthen*, *Pembroke* and *Cardigan*, (either by the Sheriffs or Justices of those Counties) shall appear before the said Justices at every Sessions, as is used in the three Counties of *North-Wales*.

XLV. The Lay and Temporal Lords Marchers shall have the moiety of every such Recognizance forfeited within their respective Precincts, to be paid them by the Sheriff, (if he can levy them;) who is also to Answer the other moiety to the King in the Exchequer upon his account.

XLVI. The Lord Chancellor shall (forthwith after this Parliament) direct a Commission under the Great Seal for the division of the Counties of *Caermarthen*, *Pembroke*, *Cardigan*, *Monmouth*, *Brecknock*, *Radnor*, *Montgomery*, *Glamorgan* and *Denbigh*, into convenient Hundreds, to be returned into the Chancery, and there to remain of Record; which shall be of like force as an Act of Parliament.

XLVII. Commissions also shall issue forth to enquire after the *Welsh* Laws and Customs; and such of them as shall be thought fit (by the King and Council) to be continued, shall stand and be in full force notwithstanding this Act.

XLVIII. Two Knights for the County, and one Burgess for the Borough of *Monmouth*, shall be chosen to serve in Parliament.

XLIX. Also,

XLIX. Alſo one Knight ſhall be choſen for each County of *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*, and for every other County in *Wales*; and for every Borough, being a Shire-Town, (except the Shire-Town of *Merioneth*) one Burgeſs.

L. The ſaid Knights and Burgeſſes ſhall be elected, and enjoy like Privileges and Fees, as Knights and Burgeſſes of *England*. And the Knights Fees ſhall be levied of the Commons of each County; and thoſe of the Burgeſſes, as well of the Shire-Towns whereof they be Burgeſſes, and of all other ancient Boroughs within the ſaid reſpective Counties.

LI. All Lords Marchers ſhall enjoy all ſuch liberties, miſes, and profits as they had, or uſed to have, at the firſt Entry into their Lands in times paſt, notwithſtanding this Act.

LII. The Laws and Cuſtoms of the three Counties of *North-Wales*, and of the County Palatine of *Lancaſter* are ſaved.

LIII. This Act ſhall not extend to derogate any other Act heretofore made for the trial of Treaſon, Murther, or Felony, or Acceſſaries thereunto, committed in any Lordſhip Marcher in *Wales*, or in any County of *England* next adjacent thereunto.

LIV. Lands by the Cuſtom partable amongſt Males ſhall ſo continue, notwithſtanding this Act.

LV. The King hath power (within three years) to ſuſpend or repeal this Act; as alſo (within five years) to erect as many Courts (of Record or others) and to appoint as many Juſtices and other Officers in *Wales* as he ſhould think fit.

LVI. Stat. 33 *H.* 8. 13. *Hope*, *Aſaph*, *Hawarden*, *Modeſdale*, *Mereford* and *Oſeley*, ſhall be reputed to be within the County of *Flint*, as part thereof, and not in any other County. Howbeit, they ſhall pay their taxes with the Inhabitants of ſuch Shire or Shires as hath been formerly accuſtomed.

LVII. Alſo *Hope*, *Modeſdale*, *Mereford*, *Oſely*, and *Hawarden*, ſhall be called the Hundred of *Modeſdale* in the County of *Flint*; and *Aſaph* ſhall be reputed parcel of the Hundred of *Rutland* in the ſame County.

LVIII. Stat. 34 & 35 *H.* 8. 26. *Wales* ſhall be divided into twelve Counties, whereof eight were Ancient Counties, *viz. Glamorgan*, *Caermarthen*, *Pembroke*, *Cardigan*, *Flint*, *Carnarvan*, *Angleſey*, and *Merioneth*; alſo four other were made by the *Stat.* of 27 *H.* 8. 26. viz. *Radnor*, *Brecknock*, *Montgomry* and *Denbigh*; beſides the County of *Monmouth*, and divers Lordſhips united to the Counties of *Salop*, *Hereford* and *Glouceſter*.

LIX. The limitation of Hundreds, lately made within the ſaid Counties by Commiſſion out of the Chancery, and again returned thither, ſhall ſtand in force, except ſuch of the ſame as have been ſince altered by any Act, and ſhall be altered by this.

LX. There

LX. There ſhall remain a Preſident and Council in *Wales* and the Marches thereof, with Officers and incidents thereunto, as hath been uſed; which Preſident and Council ſhall hear and determine ſuch cauſes as ſhall be aſſigned to them by the King, as heretofore hath alſo been uſed.

LXI. Seſſions ſhall be kept twice a year in the County of *Glamorgan*, *Brecknock*, *Radnor*, *Caermarthen*, *Pembroke*, *Cardigan*, *Montgomery*, *Denbigh*, *Carnarvan*, *Flint*, *Merioneth* and *Angleſey*; which Seſſions ſhall be called the Kings great Seſſions.

LXII. The Juſtices of *Cheſter* ſhall hold Seſſions twice a year in the Counties of *Denbigh*, *Flint* and *Montgomery*, for the old Fee of 100 *l. per Annum*.

LXIII. The Juſtices of *North Wales* ſhall do the like in the Counties of *Carnarvan*, *Merioneth* and *Angleſey*, and ſhall have a Fee of 50 *l. per Annum*.

LXIV. A perſon learned in the Law (to be appointed by the King) ſhall be Juſtice in the Counties of *Radnor*, *Brecknock*, and *Glamorgan*, and ſhall likewiſe hold Seſſions twice a year, and have for his Fee 50 *l. per Annum*.

LXV. Another ſuch perſon (to be appointed as aforeſaid) ſhall be Juſtice in the Counties of *Caermarthen*, *Pembroke* and *Cardigan*, and ſhall hold Seſſions, and have Fee as aforeſaid.

LXVI. The ſaid Juſtices ſhall have Commiſſions under the great Seal for their Offices, to be executed by themſelves or their Deputies.

LXVII. Theſe Juſtices may hold Pleas for the Crown, in as large manner as the Lord Chief Juſtice or the other Juſtices of that Bench may do, and alſo Pleas of Aſſizes, and all other Pleas and Actions, real, perſonal and mixt, in as large manner as the Chief Juſtice of the Common Pleas or the other Juſtices of that Court may do.

LXVIII. They ſhall alſo enquire, hear and determine, all criminal offences whatſoever committed within their ſeveral limits, and Adminiſter common Juſtice to all the Kings Subjects there, according to the Laws, Statutes and Cuſtoms of *England*, and this preſent Ordinance.

LXIX. The ſaid Seſſions ſhall each of them hold ſix days, as hath been uſed in *North-Wales*; and notice thereof ſhall be given (by Proclamation) fifteen days (at leaſt) before they keep the ſame.

LXX. Days ſhall be given in all Pleas, Plaints, Proceſs, and Adjournments from day to day, and from Seſſions to Seſſions, at the diſcretion of the ſaid Juſtices: for the good and ſpeedy Adminiſtration of Juſtice.

LXXI. The

LXXI. The Seal for the three Counties of *North-Wales*, viz. *Merioneth*, *Carnarvan*, and *Angleſey*, ſhall remain in the cuſtody of the Chamberlain of *North-Wales*; the Seal of *Caermarthen*, *Pembroke* and *Cardigan*, with the Chamberlain of *South Wales*; that for *Bresknock*, *Radnor* and *Glamorgan*, with the Steward and Chamberlain of *Brecknock*; that for *Denbigh* and *Montgomery*, with the Steward and Chamberlain of *Denbigh*; and that for *Flint*, with the Chamberlain of *Cheſter*.

LXXII. The ſaid Stewards and Chamberlains ſhall with the Seals ſeal all Original Writs and Proceſs returnable before the Juſtices at the Seſſions as aforeſaid, and ſhall anſwer the profits thereof to the King: But none of them, or any Chancellor, ſhall by occaſion of keeping ſuch Seals compel any perſon, inhabiting in any of the ſaid twelve Shires, to appear before themſelves or their Deputies, or hear and determine any pleas or cauſes whatſoever, otherwiſe than as by this Ordinance is limited: And ſuch Writs and Proceſs ſhall be returned before the ſaid Juſtices, as hath been uſed before the Juſtices of *North-Wales*.

LXXIII. All that ſhall be Stewards, Chamberlains, or Chancellors within any of the ſaid twelve Shires, having Offices of Receipt, Collection of Account of any of the Kings Rents, Revenues or profits there, may direct Proceſs under the ſaid Seal (being in their charge) within the limits of their Authorities againſt Bailiffs, Reeves, Farmers, and other Miniſters Accomptant, to appear before themſelves for any ſuch Rents, Revenues, Farms or Profits, as hath been heretofore uſed; but for nothing elſe, nor to any other perſon.

LXXIV. The Stewards alſo may hold Leets, Law-days, or Court-barons of Lordſhips whereof they are Stewards, and alſo Pleas by plaint under forty ſhillings in every ſuch Court-Baron, and have and enjoy all Authorities and Profits thereunto belonging, notwithſtanding any Law or Cuſtom in *Wales* to the contrary. Howbeit, neither they nor Sheriffs ſhall have power to enquire of Felonies in any ſuch Leet, Law-day, or Turn; neither ſhall they keep any Leet or Law-day, but at ſuch places where they were uſed to be kept before the Statute of 26 *H.* 8. 6. ſo as the place be convenient for the keeping of ſuch Courts.

LXXV. Mayors, Bayliffs and Head Officers of Corporate Towns in *Wales*, may hold Pleas, and determine Actions, ſo as they obſerve the Laws of *England*, and not *Welſh* Laws or Cuſtoms: They may alſo try iſſues by ſix men (as in divers places hath been uſed) notwithſtanding this Act.

LXXVI. The King may within ſeven years diſſolve Boroughs in *Wales*, and erect others there by his Letters Patents.

LXXVII. Officers

LXXVII. Officers certain Fees (appearing in the Kings Letters Patents) ſhall continue, but not their caſual Fees, claimed by colour of their Offices; any cuſtom in *Wales* or this Act to the contrary notwithſtanding.

LXXVIII. Each Juſtice ſhall alſo have a judicial Seal to ſeal all Bills and Judicial Proceſſes ſued before them in the Seſſions, whereof the firſt ſhall remain with the Juſtice of *Cheſter*, for *Flint*, *Denbigh* and *Montgomery*; the ſecond with the Juſtice of *North-Wales*; the third with the Juſtice of *Glamorgan*, *Brecknock* and *Radnor*; and the fourth with the Juſtice of *Pembroke*, *Caermarthen* and *Cardigan*. Alſo every ſuch Juſtice ſhall accompt and anſwer to the King the profits of the Seal in his cuſtody, as ſhall be hereafter declared. And the *Teſte* of every Bill and Proceſs that paſſeth under ſuch Seal ſhall be under the name of the Juſtice that iſſueth it out, as is uſed in the Common Pleas in *England*.

LXXIX. All Actions real and mixt, Attaints, Conſpiracies, Aſſizes, *Quare Impedits*, Appeals of Murther and Felony, and all Actions grounded upon any Statute, ſhall be ſued by Original Writs ſealed with the Original Seal, and returnable before the Juſtices at their Seſſions; but all perſonal Actions, as Debt, Detinue, Treſpaſs, Account, and the like, amounting to the ſum of 40 *s.* or above, ſhall be ſued by ſuch Writs Original, or by Bills, at the election of the Plaintiff, as is uſed in *North-Wales*.

LXXX. All perſonal Actions under the ſum of 40 *s.* may be ſued by Original Bill, (as is alſo uſed in *North-Wales*) ſealed by the Judicial Seal remaining in the cuſtody of the Juſtice.

LXXXI. The Fee for ſealing every Original Writ upon the cauſes aforeſaid, and for every Bill in Actions perſonal, (when the debt and damages amount to 40 *s.* or above,) is 6 *d.* and for every Judicial Proceſs ſued upon any ſuch Original Writ or Bill, 7 *d.* whereof the King ſhall have 6 *d.* and the Juſtice 1 *d*: And for every Bill in perſonal Actions, when the debt and damages amount not to 40 *s.* and for every Judicial Proceſs to be ſued upon the ſame, 3 *d.* whereof the King is to have 2 *d.* and the Juſtice one peny.

LXXXII. All Writs of *Scire facias* and Writs of *Good abearing*, or for the Peace, or Writs of *Superſedeas* upon the ſame, and all other Proceſs ſued before the Juſtices upon any Record or Suggeſtion, ſhall be ſealed with the Judicial Seal, for which the Plaintiff ſhall pay 7 *d.* whereof the King is to have 6 *d.* and the Juſtice one peny.

LXXXIII. Every Exemplification upon any Record ſhall be ſealed by the Judicial Seal, for which the Plaintiff ſhall pay 20 *d.* whereof the King is to have 16 *d.* and the Juſtice 4 *d.*

LXXXIV. Recoveries and Fines, Concords, and Warrants of Attorney for the ſame, may be taken before the ſaid Juſtices of Lands, Tenements and Hereditaments within their authority, by force of their

their general Commiſſion, without any *Dedimus*, as is uſed before the Chief Juſtice of the Common Pleas.

LXXXV. All Fines levied before any of the Juſtices with Proclamation made the ſame Seſſions they ſhall be engroſſed, and in two other great Seſſions then next following, ſhall be of the ſame force as Fines levied with Proclamations before the Juſtices of the Common Pleas.

LXXXVI. Every perſon ſuing Writs of Entry in the *Poſt*, or Writs of Covenant, or any other Writs for any Recovery to be had, (by aſſent or otherwiſe) or for any Fine to be levied, ſhall pay Fines to the Kings uſe for the ſame. (as well Fines *pro licentia concordandi*, as all other Fines) as is uſed in Chancery, or elſewhere in the Kings Courts of *England*; which Fines ſhall be paid to ſuch perſons as ſhall ſeal the Original Writs for that purpoſe, who ſhall accompt for the ſame, as they do for the profits of the ſaid Original Seal.

LXXXVII. Alſo the Kings Silver (upon every ſuch Fine) ſhall be paid as is uſed in the Common Pleas of *England*, *viz.* 2 *s.* and ſhall be received by the Juſtices before whom ſuch Fine is levied; whereof the King ſhall have 16 *d.* the Prothonatory for entring it 2 *d.* and the Juſtice the reſt., who ſhall accompt for the Kings profit, as he doth for the profits of the Judicial Seal.

LXXXVIII. The four ſaid Juſtices ſhall have each of them a Prothonotary to attend upon them, for the entring of all Pleas, Proceſs and matters of Record in Seſſions to be holden before the ſaid Juſtices.

LXXXIX. There ſhall be a Marſhal and a Crier in every of the ſaid Circuits, to be named by the ſaid Juſtices, as Juſtices of Aſſize in *England* uſe to do; which Officers ſhall attend upon the ſaid Juſtices in their Circuits in proper perſon, and not by Deputy.

XC. The Marſhal ſhall have upon every Judgment and every Fine 4 *d.* and the Cryer 1 *d.* And the like Fees ſhall be paid upon the acquittal of Felons, and of ſuch as be delivered by Proclamation, or out of Common mainprize.

XCI. Here alſo are ſet down the Fees that the Prothonotaries ſhall take for Writs, Entries, Judgments, *&c. For which ſee the Statute at large.*

XCII. The King ſhall have all Fines, Iſſues, Amerciaments, and Recognizances forfeited, which the Prothonotaries ſhall yearly eſtreat into the Exchequer appointed for that limit, that Proceſs may be awarded to the Sheriff to levy them for the Kings uſe; which Sheriff ſhall yearly accompt before the King's Auditors to be thereunto aſſigned.

XCIII. Beſides the Preſident, Council and Juſtices aforeſaid, there ſhall be Juſtices of Peace and *Quarum*, and alſo one *Cuſtos Rotulorum* in every of the ſaid 12 Counties, who ſhall be appointed by the Chancellor of *England* by Commiſſion under the Great Seal, with the

the advice of the Preſident, Council and Juſtices aforeſaid, or three of them, whereof the Preſident to be one.

XCIV. There ſhall not be more than eight Juſtices of Peace in any of the ſaid 12 Shires, beſides the Preſident, Council and Juſtices aforeſaid, and the Kings Attorny and Solicitor; all which perſons ſhall be alſo put in every ſuch Commiſſion.

XCV. Theſe Juſtices of Peace ſhall be of good name and fame, and may exerciſe their Office, albeit they have not 20 *l. per Ann.* or be not learned in Law; but before they ſhall execute their Commiſſion, they ſhall take ſuch Oath as Juſtices of Peace in *England* uſe to take, before the Chancellor of *England*, or elſe before the Preſident or one of the ſame Juſtices of *Wales* by *Dedimus*, or before ſome other to be appointed by the Lord Chancellor for the purpoſe.

XCVI. The ſaid Juſtices of Peace, or two of them at leaſt, (1. *Qu.*) ſhall keep their Seſſions four times in the year, and at other times alſo upon urgent caſes, as Juſtices of Peace in *England* uſe to do, for which they ſhall alſo have ſuch allowances for themſelves and their Clerks, as the Juſtices in *England* have.

XCVII. Here, the Fee for a Warrant of the Peace or good abearing is 6 *d.* for entring of Pledges to pay the King a Fine, upon an Indictment 9 *d.* and if it be with Proteſtation 12 *d.* for a *Superſedeas* 8 *d.* and for a Recognizance 12 *d.*

XCVIII. Theſe Juſtices of Peace ſhall certifie Recognizances taken before any of them for the peace and good abearing into the next Seſſions; but Recognizances taken before them for ſuſpicion of Felony ſhall be certified before the Juſtices at the next great Seſſions, without concealing them, upon ſuch penalties as be therefore ordained.

XCIX. All Fines and Amerciaments loſt before the Juſtices of Peace ſhall be aſſerted by two of them at leaſt; (1. *Qu.*) and ſhall be duly ſet without partiality.

C. All ſuch Fines and Amerciaments, as alſo all Iſſues loſt, forfeited Recognizances, and other forfeitures before the ſaid Juſtices of Peace, ſhall be yearly eſtreated by the Clerks of the Peace into the Exchequer appointed for that limit; to the end that Proceſſes may be thereupon awarded for the levying of them for the Kings uſe to the Sheriff of every County, who ſhall account before ſuch Auditors as ſhall be thereto aſſigned, which Auditors ſhall make due allowance unto the Sheriffs upon their accompts, for the Fees of the Juſtices and Clerks of the Peace, as is uſed in *England*.

CI. The Preſident, Council and Juſtices of *Wales*, or three of them at leaſt, (whereof the Preſident to be one) ſhall yearly nominate three able perſons in every of the ſaid twelve Shires to be Sheriffs thereof, and ſhall certifie their Names to the Lords of the Privy Council *Craft. Animarum*, to the end the King may appoint one of them in every of the ſaid Shires to be the Sheriff for that year

year, like as is uſed in *England*: And thereupon the ſaid Sheriffs ſhall have their Patents under the Great Seal of *England*, and ſhall make Oath and acknowledge Recognizances before the Preſident and Juſtices, or one of them, by a *Dedimus*, for the due execution of their Offices; and for their accompt before the Kings Auditors aſſigned for *Wales*.

CII. The ſaid Sheriffs have power to uſe their Offices as Sheriffs of *England* do, ſhall be obſervant to all lawful commands and precepts of the Preſident, Council, Juſtices of *Wales*, Juſtices of Peace, Eſcheators and Coroners, and every of them, in all things appertaining to their Offices; ſhall yearly accompt to the Auditor or Auditors aſſigned by the King for *Wales*; and ſhall each of them have yearly for his Fee 5 *l.*

CIII. All Officers and other perſons in *Wales* ſhall be obedient, attendant and aſſiſting to the Preſident, Council and Juſtices of *Wales*, and ſhall obey the Kings commands and proceſs from any of them directed, and all lawful and reaſonable precepts of them and every of them; and alſo ſhall be obedient to all Juſtices of Peace, Sheriffs and Eſcheators, within their ſeveral limits, in all things appertaining to their duties and Offices.

CIV. Alſo Eſcheators ſhall be named in every of the ſaid Counties by the Treaſurer of *England*, with the advice of the Preſident, Council, or three of them, whereof the Preſident to be one; which Eſcheators ſhall make Oaths and acknowledge Recognizances before the Preſident, or one of the Juſtices, by a *Dedimus*, for the due execution of their Offices, and for their true account before the Kings Auditor or Auditors, to be aſſigned for that purpoſe; which Oath and Recognizance ſhall be agreeable to thoſe uſed for Eſcheators in *England*.

CV. Such Eſcheators ſhall yearly have their Patents under the Great Seal, and ſhall exerciſe their Offices as Eſcheators in *England*, and ſhall be bound to all Laws and Statutes of *England*; but they need not have above 5 *l. per annum* Free-hold, and ſhall account yearly before ſuch Auditor or Auditors as the King ſhall aſſign for *Wales*.

CVI. There ſhall be alſo two Coroners elected for each of the ſaid twelve Shires by the Writ *De Coronatore eligendo*, awarded out of the Chancery of *England*; which Coroners ſhall exerciſe their Offices, and have like Fees as in *England*: Only the Writ *de Cor. elig.* for the County of *Flint* ſhall be directed out of the Exchequer of *Cheſter*.

☞ CVII. The Juſtices of Peace, or two of them, (1. *Qu.*) ſhall appoint in every Hundred (within their limits) two ſubſtantial Gentlemen or Yeomen to be chief Conſtables of the Hundred where they dwell, who ſhall preſerve the Peace, and uſe their Offices, and be bound in all things, as High Conſtables in *England*.

CVIII. The Sheriff ſhall have a Gaol in a place of the Caſtle of the Shire-town, or ſuch other convenient place as by the Preſident, Council and Juſtices, or three of them (whereof the Preſident to be one) ſhall be appointed, any Patent or Grant notwithſtanding. The Sheriff alſo ſhall make Bayliffs of the Hundred, who ſhall attend upon the Juſtices at their Courts and Seſſions.

CIX. Sheriffs ſhall keep their Counties monthly, and their Hundred Courts for Pleas under 40 *s.* and ſhall take for entring of Plaints, Proceſs, Pleas and Judgments there as is uſed in *England*, and not above. Alſo all Trials in ſuch Courts, as before Stewards in Court-Barons, ſhall be by Wager of Law, or Verdict of ſix men, at the election of the party, Plaintiff or Defendant, that pleads the Plea.

CX. Sheriffs ſhall hold their Turns yearly after *Eaſter* and *Michaelmaſs*, as is uſed in *England*.

CXI. The King ſhall have all Fines, Iſſues, Amerciaments and Forfeitures loſt in the ſaid Courts and Turn, to his own uſe, and the Sheriff ſhall account for the ſame accordingly, having been firſt offered by the Juſtices of Aſſize of that Circuit before they be levied; and the Sheriff ſhall not levy them before they be ſo offered, in pain to forfeit to the King 40 *s.* Alſo the Sheriff upon every Judgment in his County or Hundred-Court may award a *Capias ad ſatisfaciendum*, or a *Fieri facias*, at the election of the Plaintiff.

CXII. Certain Fees which the Sheriff is to have for the return and Execution of divers Writs. *For which ſee the Statute at large.*

CXIII. Every Sheriff within his limit may put ſuſpicious perſons under common mainprize, according to the Statute of 37 *H.* 8. 26. (*which ſee before*) binding them with two ſufficient Sureties by Recognizance to appear before the Juſtices at the next great Seſſions, and ſhall then alſo certifie the names of the parties ſo bound, without concealment.

CXIV. The Sheriffs Fee for taking ſuch common Mainprize is 2 *d.* but he ſhall take no Fee for the return of any Writ of Execution, unleſs he return the ſame executed.

CXV. The Fees of Sheriffs, Eſcheators and Coroners, and their Miniſters, Prothonotaries, and their Clerks, and other Miniſters of Juſtice in *Wales*, ſhall be rated, augmented and diminiſhed, by the Preſident, Council and Juſtices, or by three of them, whereof the Preſident to be one, from time to time at their diſcretions.

CXVI. None for Murther or Felony ſhall be put to his Fine, but ſuffer according to the Laws of *England*, except it pleaſe the King to pardon him: And if the Juſtices ſee cauſe of pity, or other conſideration they may reprieve the Priſoner, till they have advertiſed the King of the matter.

CXVII. The

CXVII. The Statute of the 26 *H.* 8. 6. (*which ſee before*) is confirmed, notwithſtanding this Act, and from henceforth ſhall be put in execution.

CXVIII. *Abertannad*, heretofore reputed parcel of the County of *Merioneth*, ſhall now be annexed to *Salop*, and be reputed parcel of the Hundred of *Oſweſtry*.

CXIX. If any foreign Plea or Voucher be pleaded or made before any of the Juſtices of *Wales*, triable in any other County in *Wales*; in this caſe, the ſaid Juſtice ſhall ſend the Kings Writ, with a tranſcript of the Record, unto the Juſtice of the County where the matter is triable, commanding him to proceed to the trial thereof according to Law; which Tryal being had, he ſhall remand it with the whole Record unto the Juſtice that ſent it, who thereupon ſhall proceed to Judgment, as the cauſe ſhall require. But if ſuch Plea or Voucher be triable in *England*, the Juſtice of *Wales*, before whom they are pleaded or made, may proceed to trial thereof in ſuch County of *Wales* whereby they are ſo pleaded or made, ſuch foreign Plea or Voucher notwithſtanding.

CXX. All Lands, Tenements and Hereditaments in *Wales*, and in the Lordſhips and places annexed (by the Statute of 27 *H.* 8. 26.) to the Counties of *Salop*, *Hereford*, *Glouceſter*, or any other Shires, ſhall be *Engliſh* tenure, and not partable amongſt heirs Males, according to the Cuſtom of Gavelkind.

CXXI. No Mortgages of Lands, &c. made in any of the Counties or places, ſhall be hereafter allowed or admitted otherwiſe than after the courſe of the Common Law and Statutes of *England*.

CXXII. It ſhall be lawful for all perſons to alien their Lands, &c. in *Wales*, the County of *Monmouth*, and other places annexed, as aforeſaid, from them and their heirs to any perſon or perſons in fee-ſimple, fee-tail, for life or years according to the Laws of *England*; notwithſtanding any *Welſh* Law or Cuſtom to the contrary.

CXXIII. If any perſon having Lands in *Wales* be bound in *England* by a Statute Staple or Recogniſance, and pay not the debt accordingly; in ſuch caſes, upon Certificate into the Chancery of *England*, Proceſſes ſhall be made to the Sheriffs of *Wales* out of the ſaid Chancery, for the due levying of the ſaid debt as is uſed in *England*. Howbeit, for ſuch Recognizances as are taken in the Kings Bench or Common Pleas of *England*, Proceſſes ſhall be purſued immediately from the Juſtices of the ſaid Courts, as in *England* is alſo uſed.

CXXIV. All ſuch Writs, Bills, Plaints, Pleas, Proceſs, Challenges, and Trials, ſhall be uſed throughout all the Shires aforeſaid, as are uſed in *North Wales*, or as ſhall be deviſed by the Preſident, Council, and Juſtices, or three of them, whereof the Preſident to be one.

CXXV. Where there ſhall be ſome ſuits in Pleas perſonal which connot be well tried before the Juſtices in the great Seſſions, for ſhortneſs of time, ſuch iſſues may be tried at the petry Seſſions before the Deputy Juſtices, as is uſed in the three Counties of *North-Wales*; ſave only for ſuch ſuits as by the diſcretion of the ſaid Juſtices ſhall be neceſſary to be tried before themſelves: Howbeit, there ſhall be no ſuit taken before any of the ſaid Juſtices by Bill, under the ſum of 20*s*.

CXXVI. No other liberties, franchiſes or cuſtoms ſhall be uſed or claimed in any Lordſhip which was anciently part of *Wales*, (whoſoever be owner or owners thereof,) but only ſuch as be given to the Lords thereof by force of the Statute of 27 *H.* 8. 26. and not altered by this Act, notwithſtanding the Stat. of 32 *H.* 8. 20. *which ſee in* Franchiſes.

CXXVII. If any murther or felony be committed in *Wales*, the party or parties grieved ſhall make no agreement with the Offender, or with any other in his behalf, unleſs he firſt acquaint the Preſident, Council or Juſtices therewith, in pain of impriſonment and grievous Fine at the diſcretion of the Preſident, Council and Juſtices, or two of them, whereof the Preſident to be one. The like puniſhment alſo they ſhall incur that labour or procure ſuch agreement, although it never take effect.

CXXVIII. If any perſon, or they whoſe eſtate he hath, have peaceable poſſeſſion of Lands in *Wales* by the ſpace of five years, without interruption or lawful claim, ſuch perſon ſhall continue the ſame, until they be recovered from him by law, or decree of the Preſident or Council there.

CXXIX. If in perſonal Actions purſued before the Juſtices nine of the Jury being ſworn, and the reſidue make default, or be tried out; in that caſe the Sheriff may return other names *de circumſtantibus*, until the Jury be full, as is uſed in *North Wales* and elſewhere in ſuch caſes.

CXXX. No ſale of goods or cattel ſtollen in *Wales*, and ſold in any Fair or Market there, ſhall alter the property thereof, ſuch ſale notwithſtanding.

CXXXI. No perſon ſhall buy any quick Cattle in *Wales* out of the Fair or Market, unleſs he can produce credible witneſs of the perſon, place and time, of whom, where and when he ſo bought the ſame, in pain of ſuch puniſhment and fine as ſhall be ſet by the Preſident and Council, or any of the Juſtices in his Circuit, and to anſwer it at his farther peril.

CXXXII. If any Goods or Cattel be ſtollen in *Wales*, the traſt ſhall be followed from Town to Town and Lordſhip to Lordſhip, according to the Laws and Cuſtoms heretofore uſed in *Wales*, upon ſuch penalty as hath been heretofore accuſtomed.

CXXXIII. Any

CXXXIII. Any man (being a Free-holder) may paſs upon a Jury in all cauſes both criminal and civil, attaint only excepted, ſaving to every man his lawful challenge; according to the Laws of *England*: Howbeit, none ſhall paſs in attaint, unleſs he have Free-hold of 40 *s. per annum.*

CXXXIV. Tenants and reſiants in *Wales*, ſhall pay their Tallage at the change of their Lords in ſuch places, and after ſuch form, as hath been accuſtomed in *Wales.*

CXXXV. The Kings Subjects in *Wales* ſhall find at the Parliaments in *England* Knights for the Counties, and Citizens and Burgeſſes for the Cities and Towns, to be choſen by the Kings Writ, according to the Statute of 27 *H.* 8. 26. and ſhall alſo be chargeable to all Subſidies, and other charges granted by the Commons of the ſaid Parliaments, and pay all other rents, farms, cuſtoms and duties to the King, as hath been accuſtomed, fines for redemption of Seſſions only excepted, which the King is pleaſed to remit.

CXXXVI. *Haverford-weſt* ſhall find one Burgeſs for that Town whoſe charges ſhall be born by the Mayor, Bugeſſes and Inhabitants of the ſaid Town, and by none other.

CXXXVII. The King ſhall have all Felons goods, goods of perſons Outlawed, Waifs, Eſtrays, and all other Forfeitures and Eſcheats, and ſhall be anſwered thereof by the Sheriffs; ſaving the right of all others having lawful title thereto.

CXXXVIII. Errors and Judgments before any of the Juſtices in their great Seſſions, in Pleas real and mixt, ſhall be redreſſed by Writ of Error, out of the Chancery of *England*, returnable before the Juſtices of the Common Pleas, as other Writs of Error be in *England*; but Errors in Pleas perſonal ſhall be reformed by Bill before the Preſident and Council: and if the Judgment be affirmed good in any of the ſaid Writs or Bill, then there to make execution and all other proceſs thereupon as is uſed in the Kings Bench of *England*; and the Plaintiff in every ſuch Writ or Bill to pay for the ſame like Fees as is uſed in *England.*

CXXXIX. No execution of any Judgment given in any baſe Court ſhall be ſtayed by reaſon of any Writ of falſe Judgment, but execution may be had at all times before the reverſal of ſuch Judgment; and if ſuch Judgment ſhall after be reverſed, the Plaintiff ſhall be reſtored to what he hath loſt by ſuch Judgment.

CXL. All proceſs for urgent and weighty cauſes ſhall be directed into *Wales* by the Chancellor of *England*, or any of the Kings Council, as heretofore hath been uſed, notwithſtanding this Act.

CXLII. The Town of *Bewdly* in the Pariſh of *Ribsford in Com. Wigorn*, is made parcel of the County of *Wigorn*, and united to the Hundred of *Dodingtree* in that County; ſaving to the Burgeſs and Inhabitants of *Bewdly* their ancient liberties and franchiſes.

CXLII. *Llantiffan*, *Uſterlois* and *Langham*, with their members, are united to the County of *Carmarthen*, and made parcel of the Hundred of *Derreus* in that County.

CXLIII. The Shire-Court of the County of *Radnor* ſhall be holden one time at *New-Radnor*, and another time at *Preſton*, *alternis vicibus*, and never at *Rother-Gwy*, notwithſtanding the Statute of 27 *H.*8.26.

CXLIV. The Kings Farmer of the Subſidy and Aulnage of Woollen-cloths in the County of *Monmouth*, and the other twelve Counties of *Wales*, ſhall take for ſealing ſuch Cloths as followeth: *viz.* for every whole piece of Friſe 1 *d.* a half-piece *ob.* a piece of cotton or lining (24 yards and under) *ob.* a piece of the ſame (above 24 yards) 1 *d.* a broad-cloth 1 *d.* a piece of Kerſey (18 yards or above) 1 *d.* and for a piece of Kerſey (under 18 yards) *ob.* Howbeit this ſhall not extend to Cloth made in private Houſes, and not put to ſale, but to their ſervants.

CXLV. The Aulnager in *Wales* ſhall be bound and ſubject to the Laws and Cuſtoms of *England* in like caſe provided.

CXLVI The Town of *Haverford-weſt* is made a County of it ſelf, whoſe Juſtice ſhall be the Juſtice of the County of *Pembroke*, and the Judicial See of *Pembrokeſhire* ſhall be alſo uſed there, with divers other priviledges: *For which ſee the Statute at large.* Howbeit, this Article was but to continue in force during the Kings pleaſure.

CXLVII. This Act ſhall not be prejudicial to any mans inheritance nor to any of the Kings Officers for their Offices or Fees.

CXLVIII. No land in *Wales* ſhall be Gavelkind, but deſcendable according to the courſe of Common Law.

CXLIX. All Liberties of the Dutchy of *Lancaſter* ſhall continue as they were before the making of this Act.

CL. **Stat.** 1 & 2 *P. M.* 15. As well Spiritual Lords Marchers and their Succeſſors, as the Heirs and Succeſſors of Temporal Lords Marchers now being, or which ſhall hereafter be Lords Marchers of Lordſhips Royal in *Wales* ſhall have and enjoy the one half of every forfeiture of every common mainpriſe, recognizance for the year, or appearance, forfeited by their Tenants inhabiting within any of their Lordſhips Marchers or Lordſhips Royal, to be paid the ſame by the Sheriff of the County for the time being, as the Lay or Temporal Lords Marchers have (or ought to have) been paid the ſame by force of the Statute of 27 *H.*8.26. And alſo all ſuch miſes, profits and liberties as the Lords Marchers Spiritual and Temporal have reſpectively uſed in time paſt to enjoy, before the making of the ſaid Statute.

CLI. **Stat.** 18 *El.* 8. The Queen and her Heirs and Succeſſors may (at her and their pleaſure) name and appoint two or more perſons learned in the Law, to be Juſtices in each of the Circuits in *Wales* which had but one Juſtice before, or may grant Commiſſions of Aſſociation to ſuch perſon or perſons to be aſſociate to the Juſtice

ſtice or Juſtices of the ſaid Circuits, who ſhall have like authority and power as the one Juſtice had by the *Statute* of 34 & 35 *H.* 8. 26.

CLII. Stat. 27 *El.* 9. All Fines and Recoveries taken or ſuffered in the Courts of Aſſizes or Seſſions of the 12 Shires of *Wales*, the Town and County of *Haverford-Weſt*, and the Counties Palatines of *Cheſter*, *Lancaſter* and *Dureſm*, and in every of them, and all Writs, Returns, Warrants and other proceedings concerning the ſame, now remaining, or which hereafter ſhall remain, in the ſaid Courts or Seſſions, or in any of them, or in the cuſtody of any of the Officers there, (may upon the requeſt and at the election of any perſon) be inrolled in Rolls of Parchment, by ſuch perſons and for ſuch conſiderations as are hereafter expreſſed; and ſuch Inrolment ſhall be as good in force of Law (for ſo much as ſhall be ſo inrolled) as the ſame ſo remaining are or ought to be.

CLIII. No Fines, Proclamations, or Recoveries there, ſhall be reverſible by Writ of Error for falſe Latin, raſure, interlining, miſentring of any Warrant of Attorney, or of any Proclamation, miſreturning or not returning of the Sheriff, or other want of form in words, and not in matter of ſubſtance.

CLIV. The perſon there that ſhall hereafter take the acknowledgment of any Fine, or any Warrant of Attorney, of any Tenant of Vouchee for ſuffering any Recovery, or ſhall certifie them or any of them, ſhall, with the Certificate of the Concord or Warrant of Attorney, certifie alſo the day and year wherein the ſame was acknowledged; but ſhall not be inforced to certifie them, except within the year next after they were taken: And no Clerk or Officer there ſhall receive any Writ of Covenant, Writ of Entry, or other Writ, whereupon any Fine or Recovery is to paſs, unleſs the day of acknowledgment thereof ſhall appear by ſuch Certificate in pain of 40*s.*

CLV. No Attornment upon any Fine there ſhall be entred upon Record, except the party mentioned to attorn have firſt appeared in Court in perſon or by Attorney, warranted by the hand of one of the Juſtices of the ſame Court, upon any Writ of *Quid juris clamat*, *Quem redditum reddit*, or *Per quæ ſervitia*, as the cauſe requireth: And every Attornment otherwiſe entred ſhall be void, without Writ of Error, or other means to avoid it.

CLVI. There ſhall be in the ſaid places an Office of Inrolments erected to continue for ever, for the inrolling of the Fines and Recoveries, as aforeſaid; and the Juſtices there ſhall (within their ſeveral limits) enjoy the ſaid Office and the diſpoſition thereof, and carefully ſee to the execution of the ſame, by the due examination of ſuch Enrolments, and for their pains and care therein ſhall have certain Fees allowed them: *For which ſee the Statute at large.*

CLVII. Unto every Roll by any Juſtice ſo examined he is to ſubſcribe his hand, in pain of 40 s. And any of the ſaid Juſtices may take order in all things needful for the ſaid Inrolment, and upon examination may in the ſaid Courts aſſeſs ſuch Fines and Amerciaments on any Clerk, Sheriff, Attornies, or other perſon, for miſpriſion, contempt or negligence, in any thing concerning ſuch Fines and Recoveries, as to them or any one of them ſhall ſeem: Which Fines and Amerciaments ſhall be eſtreated as others uſe to be out of the ſaid Courts.

CLVIII. The Exemplification of any ſuch Record of any Fine or Recovery thereof, or any part thereof, (in the ſaid twelve Shires of *Wales*, and the Town of *Haverford-weſt*) under the Judicial Seal, or (in the ſaid Counties Palatine) under the Seal of the reſpective County Palatine, ſhall be of as good force as the Orignal Record it ſelf.

CLIX. The Juſtices Clerks may write out and inroll the ſaid Records, but ſhall not carry them out of their Offices.

CLX. No Fine or Recovery heretofore levied or ſuffered, ſhall after Exemplification be amended.

CLXI. This Act ſhall not prejudice the heirs of Sir *Edward Gray* Knight, Lord *Powis*, or Sir *Edward Herbert* Knight, his heirs or Aſſigns, or *Henry Vernor* or *John Vernor* Eſquires, their heirs or Aſſigns, concerning any Fine levied, or Recovery ſuffered, by or againſt the ſaid Lord *Powis* of Lands in the County of *Montgomery*; nor to *Henry* now Earl of *Kent*, concerning any lands in *Wales* whereunto he pretends title.

Walſingham.

1. **Stat.** 35 *H.* 8. 13. The demeſn Lands in *Walſingham*, belonging to the late Priory there, may be let by Copy, and ſhall hereafter be Copyholds.

Wapping-Marſh.

1. **Stat.** 35 *H.* 8. 9. An Act for the Partition of *Wapping*-Marſh.

Wards.

Wards.

I. **Marlb.** 17. 52 *H.* 3. Guardians in ſocage ſhall make no waſte, ſale or deſtruction of the heirs Inheritance, but ſafely keep the ſame to the uſe of the heir; and when he cometh to age ſhall anſwer him the iſſues thereof by lawful account, ſaving their reaſonable coſts: neither ſhall ſuch Guardians ſell the Marriage of ſuch heir, but to his advantage; and the Kinsfolk that have ſuch Ward, (from the time that Writs of impleading have not been granted, *which ſeems to be by Magna Charta* 27.) ſhall have ſuch Wardſhip to the heirs advantage, without making waſte, ſale or deſtruction as aforeſaid.

II. **Weſt.** 1. 21. 3 *Ed.* 1. Guardians ſhall keep the Lands of Wards without deſtruction, according to *Magna Charta*, ſo alſo ſhall Archbiſhopricks, Biſhopricks, Abbacies, Churches, and all Spiritual Dignities be kept in time of Vacation.

III. *The Stat. of Wards and Reliefs*; 28 *E.* 1. The Ward of an heir that holdeth in ſocage, if the land deſcended on the Mothers ſide, belongs to the next Friend on the Fathers ſide, *& contrá.*

V. tit. Tenures. *Sect.* 11, 12. For taking away Wardſhips, &c.

Wares.

I. **Stat.** 5 *El.* 7. None ſhall bring or cauſe to be brought into this Realm from beyond Sea any Girdles, Harneſs for Girdles, Rapiers, Daggers, Knives, Hilts, Pummels, Lockets, Chapes, Dagger-blades, Handles, Scabbards; or Sheaths for Knives, Saddles, Horſe-harneſs, Stirrups, Bits, Gloves, Points, Leather-laces, or Pins, being ready wrought beyond Sea, to be ſold, bartered or exchanged in this Realm or *Wales*, in pain to forfeit the ſame or the value thereof, to be divided betwixt the Queen and the Proſecutor.

Warranty.

I. **Statute of Bigamy**, 6. 4 *E.* 1. In deeds containing *Dedi & conceſſi tale tenementum*, without homage, or any clauſe of Warranty, and to be holden of the donors and their heirs by a certain ſervice; in this caſe the donors and their heirs are bound to Warranty: But where the Deed is *Dedi & conceſſi, &c.* to be holden of the chief Lord of the Fee, or of other, and not of the Feoffors and their heirs, reſerving no ſervice, and without homage and the aforeſaid clauſe; here the Feoffors heirs ſhall not be bound to Warranty: howbeit, the Feoffor himſelf during his life (by force of his own gift) is bound to warrant.

II. **Stat.**

II. **Statute of Glouceſter** 3. 6 *E.* 1. Where Tenant by the courteſie aliens his Wifes land, his Son (having no Aſſets by deſcent) ſhall not be barred to recover the land by a Writ of *Mortdanceſtor* of the ſeiſin of his Mother, albeit his Fathers Deed mentioneth, that he and his Heirs ſhall be bound to warranty; but in caſe any land deſcend to the heir of his Fathers ſide, he ſhall be barred for the value of the Inheritance ſo deſcended.

III Alſo, if afterwards any Inheritance deſcend to him by the ſame Father, the Tenant ſhall recover againſt him of the ſeiſin of his Mother, by a Judicial Writ to be iſſued out of the Rolls of the Juſtices before whom the Plea was pleaded, to reſummon his Warranty, as hath been heretofore uſed in caſes where the Warrantor pleads *riens per deſcent* from him by whoſe Deed he is vouched.

IV. Likewiſe the iſſue of the Son may recover by Writ of Couſinage, *Ayel* and *Beſayel*; neither ſhall the heir of the Wife be barred of his Action, after the death of his Father and Mother, by Writ of Entry, for land which his Father did alien in the time of his Mother, whereof no Fine is levied in the Kings Court.

War.

I. **Stat.** 1 *E.* 3. 7. Whereas Commiſſioners have heretofore prepared men of Arms, and conveyed them to the King of *Scotland*, *Gaſcoigne*, and elſewhere, at the charge of the Shires, whereby the Commons have been much impoveriſhed; the King wills, that ſhall be done ſo no more.

II. **Stat.** 18 *E.* 3. 7. Men of Arms, Hoblers and Archers choſen to go into the Kings ſervice out of *England*, ſhall be at the Kings wages from the day they depart out of the Countries where they are levied till their return.

III. **Stat** 25 *E.* 3. *Stat.* 5. 8. None ſhall be conſtrained to find men of Arms, Hoblers or Archers, but by tenure of land or grant in Parliament.

IV. **Stat.** 4 *H.* 4. 13. The Statutes of 1 *E.* 3. 7. 18 *E.* 3. 7. and 25 *E.* 3. *Stat.* 5. 8. ſhall be holden in all points; yet ſo as Lords and all others that have lands in *Wales*, or the Marches thereof, or hold of the King by Eſcuage or other ſervice, ſhall in no wiſe be excuſed of their ſervice and devoirs due to the King for their lands, fees, annuities, penſions, or other profits.

V. **Stat.** 11 *H.* 7. 18. Every perſon in *England* and *Wales*, having any Office, Fee or Annuity of the Kings grant, ſhall perſonally attend upon him, when he goes himſelf in perſon in the Wars, (unleſs he have the Kings licence, or be letted upon ſome juſt cauſe well proved) in pain to forfeit ſuch Office, Fee and Annuity. Howbeit, this Act ſhall not extend to any Spiritual perſon, the Maſter of the Rolls, or other Officer or Clerk of the Chancery, Juſtices of either Bench,

Bench, Barons of the Exchequer, or other Officers or Clerks of the ſaid places, the Kings Attorney or Solicitor, Serjeants at Law, or any of the Kings Officers in *Berwick* or *Carliſle*, or the Clerk of the Kings Council. *See alſo another Statute to the like effect for the forfeiture of Land, made* 19 H.7.1.

Waſte.

I. **Magna Charta**, 4. 9 *H.* 3. No waſte ſhall be made by the Guardian in Wards lands; and if the cuſtody be committed to the Sheriff or any other that is accomptable to the King, and they commit waſte, they ſhall make recompence; and the Wardſhip ſhall be committed to two diſcreet men of the Fee, who ſhall anſwer to the iſſues of the land to the King or his Aſſignee.

II. The Committee of the Ward making ſuch waſte ſhall loſe the cuſtody; and then likewiſe he ſhall be committed to two diſcreet men, who ſhall be anſwerable to the King as aforeſaid.

III. **Magna Charta**, 5. 9 *H.* 3. The Guardian of the Wards lands ſhall with the iſſues thereof uphold his Houſes, Parks, Warrens, Ponds Mills, and other things pertaining to the ſaid lands; and ſhall deliver unto him at his full age his lands ſtored with Ploughs and other things (at leaſt) as he received them.

IV. The like ſhall be obſerved in the cuſtodies of all Spiritual Dignities, which pertain to the King during their vacancy: Howbeit, ſuch cuſtodies ought not to be ſold.

V. **Marlb.** 23. 52 *H.*3. *pars inde.* Farmers (during their terms) ſhall not make waſte, ſale, or exile, of houſe, woods, men, or any thing elſe which appertains to the tenements that they have in farm, without ſpecial licence had by writing of Covenant; making mention that they may ſo do; in pain, that they (being thereof convict) ſhall yield full damage, and be grievouſly puniſhed by amerciament.

VI. **Statute of Glouceſter**, 5. 6 *E.* 1. An Action of Waſte is maintainable againſt Tenant by the courteſie, in dower, for life or years, and the party attainted thereof ſhall loſe the thing waſted, and recompence thrice ſo much as ſuch waſte is taxed at.

VII. As for Waſte done in the time of Wardſhip, *Magna Charta*, 4. 9 *H.*3. (*before* 1.) ſhall be obſerved; and moreover, the Guardian ſhall recompence the heir for the Waſte done, if the Wardſhip loſt ſhall not amount to the value of the damages, before the heirs full Age.

VIII. **Weſt.** 2. 14. 13 *E.*1. The Proceſſes in an Action of Waſte ſhall be Summons, Attachment and Diſtreſs; and if the Defendant appear not upon the diſtreſs, a Writ of Enquiry ſhall be directed to the Sheriff to enquire of the Waſte; upon return whereof, the Court ſhall proceed to Judgment, according to the Stat. of *Glouceſter cap.* 5. *before.*

IX. **Weſt.** 2. 22. 13 *E.* 1. An Action of Waſte ſhall be maintainable againſt one Tenant in common againſt another of wood, turf, land, fiſhing or the like; and when the cauſe comes to Judgment, the Defendant ſhall chuſe either to take his part in a certain place, (to be ſet out by the Sheriff with a Jury) or to grant to take nothing but as his Pernors do: and if he chuſe to take his part in a place certain, the place waſted ſhall be aſſigned for his part. The Writ in this caſe is, *Cum* A. & B. *tenent Boſcum pro indiviſo*, B. *fecit vaſtum, &c.*

X. **Statute of Waſte**, 20 *E.* 1. An Action of Waſte is maintainable by the heir for Waſte done in his Anceſtors time, as well as for that done in his own time.

XI. **Artic. ſuper Chart.** 18. 28 *E.* 1. An Action of Waſte is maintainable againſt Eſcheators and Sub-eſcheators, for Waſte by them committed in Wards lands.

XII. **Stat.** 11 *H.* 6. 5. An Action of Waſte is maintainable by the Reverſioner againſt Tenant for life or years, that firſt aliens his Eſtate to a ſtranger, and afterwards (ſtill receiving the profits thereof) commits Waſte. Howbeit, this Statute ſhall not extend to ſuch Tenants as hold without impeachment of waſte.

☞ Watches.

I. **Stat.** 5 *H.* 4. 3. Watches ſhall be kept upon the Sea-coaſts as they were wont to be; and in that caſe the Statute of *Wincheſter* ſhall be obſerved: *Which ſee in* Robbery.

II. In every Commiſſion of Peace hereafter to be made, this Article ſhall be inſerted, *viz.* That the Juſtices of Peace ſhall have power in their Seſſions to enquire of Watches, and to puniſh them who ſhall be found in default, according to the tenor of the ſaid Statute.

☞ Wax.

I. **Stat.** 11 *H.* 6. 16. No Wax-chandler ſhall ſell or put to ſale any Candles or other wares made of Wax at a dearer rate, than that he may have only 4 *d.* in every pound of wares above the common price of plain Wax, in pain to forfeit all ſuch wares put to ſale, and the value of them ſold, and beſides to make fine to the King.

II. Juſtices of Peace, Mayors, Bailiffs, and Stewards of Franchiſes, have power to examine and ſearch concerning the breach of this Law, and alſo to hear and determine the offences committed againſt it.

III. **Stat.**

III. Stat. 23 El. 8. None in mingling or making of Wax ſhall uſe or cauſe to be uſed any deceit by mixture or mingling the ſame with Roſin, Tallow, Turpentine, or other deceitful thing, to the intent to ſell it, or to put it to ſale, in pain to forfeit the ſame: And if ſuch deceitful Wax happen to be ſold before it be diſcovered, the melter or procurer thereof ſhall forfeit for every pound thereof 2 s. to be divided betwixt the Queen and the party deceived, if he will ſue; but if not, then the Proſecutor.

IV. Every melter and maker up of unwrought Wax ſhall have a ſtamp or mark of the breadth of 6 d. wherein the two letters of his Sur-name ſhall be graven, and with this ſhall ſtamp every ſuch piece of Wax triangularly in three places upon the outſide of every ſuch piece; in pain to forfeit the value of every piece ſold or put to ſale not ſo ſtamped.

V. None ſhall melt, mix, work, ſell, or put to ſale, any wrought Wax, ſtuff, or wares wrought with Wax, but with good and pure ſtuff, fit for ſuch work, and ſealed with the workers Stamp, to the end he may be known; in pain to forfeit all corrupt wares otherwiſe wrought, and ſo ſold or put to ſale, to be divided as aforeſaid.

VI. None ſhall ſell or put to ſale any falſe mingled Wax, in pain to forfeit the ſame, to be divided as before.

VII. All Casks filled with Honey ſhall be by the filler thereof marked with two letters, ſtanding for his name and ſur-name, each letter being an inch and on half in length at leaſt, and burnt upon the head of each Cask with an hot Iron; in pain to forfeit 6 s. 8 d. for every Cask of Hony ſold or put to ſale, and not ſo marked.

VIII. None ſhall fill, ſell, or put to ſale, any Cask of Honey for a Barrel, Kilderkin, or Firkin, unleſs they contain as followeth, viz. the Barrel 32 gallons Wine meaſure, the Kilderkin 16, and the Firkin 8; in pain to forfeit for every half gallon ſo lacking 5 s. together with the Cask and Hony therein contained, to be divided as before.

IX. This Act, as to the making of Wax, ſhall not extend to any ſelling the Wax of their own Bees in open Markets, nor to any ſervant mingling or corrupting Wax by the command of his Maſter, ſo as he will confeſs them.

X. None ſhall counterfeit anothers mark, nor ſtamp therewith without the owners conſent, in pain to forfeit for every ſuch offence 5 s. to be divided as before; and in caſe he be not able to pay it, to be ſet upon the Pillory in the next Market town to the place where he offends, and to ſuffer three months impriſonment without bail.

Wears.

* I. **Magna Chart.** 23. 9 *H.* 3. All Wears ſhall be put down by *Thames* and *Medway*, and throughout all *England*, ſave only by the Sea-coaſt.

II. **Stat.** *de Pannis* 4. 25 *E.* 3. All Gorces, Mills, Wears, Stanks, Stakes and Kiddles, ſet up in the time of *E.* 1. and ſince, whereby Ships and Boats are diſturbed to paſs in Rivers as they were wont, ſhall be utterly pulled down, never to be renewed: And hereupon Writs ſhall iſſue to the Sheriffs of the places where need ſhall require, to ſurvey and inquire, and thereof to do execution; Juſtices alſo ſhall be thereupon aſſigned, as ſhall be needful.

* III. **Stat.** 45 *E.* 3. 2. The Stat. of Cloth, 4. 25 *E.* 3. ſhall be put in due execution; and if any ſuch annoyance be done, it ſhall be pulled down by due Proceſs, according to the ſaid Statute.

IV. If any ſhall repair any ſuch annoyance, and be thereof attainted, he ſhall incur the pain of 100 Marks to the King, to be levied by the eſtreats of the Exchequer. The like Law ſhall be for annoyance made for enhancing ſuch Wears, Mills, Stanks, Stakes and Kiddles, as by the new levying of them.

V. **Stat.** 1 *H.* 4. 12. The ſaid Stat. of 25 *E.* 3. 4. and 45 *E.* 3. 2. ſhall be put in due execution.

VI. Commiſſions ſhall be made to ſufficient men to be Juſtices in every County where need ſhall be, to ſurvey, and keep the Waters and great Rivers there, to correct the defaults, and to put the ſaid Statutes in due execution, as well by their ſurvey, advice and diſcretion, as by Enqueſts, both within Franchiſes and without, as need ſhall be, and to hear and determine the things aforeſaid: Alſo to ſurvey the Wears, Mills, Stanks, Stakes and Kiddles, levied before the time of *E.* 1. and to correct, pull down and amend ſuch of them as they ſhall find too much enhanced or ſtreightned, ſaving always a reaſonable ſubſtance thereof.

VII. If any ſuch meaſures be adjudged and awarded by the ſaid Juſtices fit to be pulled down and amended, the owner of the Freehold thereof ſhall make thereof execution at his own charge within half a year after notice thereof given to him, in pain of 100 Marks to be paid to the King by eſtreats of the Exchequer: And he that ſhall cauſe them to be repaired, enhanced, or ſtreightned, againſt the ſaid Judgment, (being thereof convict) ſhall alſo incur the pain of 100 Marks, to be paid as aforeſaid. Howbeit, if any ſhall find himſelf grieved by the execution of this Act, upon complaint he ſhall be relieved.

VIII. **Stat.** 4 *H.* 4. 11. The Stat. of 25 *E.* 3. 4. 45 *E.* 3. 2. and 1 *H.* 4. 12. ſhall be duly put in execution.

IX. Com-

IX. Commiſſions ſhall be awarded to certain Juſtices and others in every County, where need ſhall be, to enquire of offenders againſt the ſaid Statutes, and to puniſh them by fine at their diſcretion; ſaving to the King the penalties compriſed in the ſaid Statutes.

X. The eſtreats of ſuch Fines ſhall be delivered by the Juſtices to the Sheriff by Indenture, who ſhall thereout pay to every Juſtice 4 *s.* for every day that he ſhall execute ſuch Commiſſion, and the Sheriff is to be allowed it again upon his accompt in the Exchequer.

XI. **Stat.** 1 *H.*5.2. All the aforeſaid Statutes are confirmed, and ordered to be put in due execution.

XII. **Stat.** 12 *E.* 4.7. All the ſaid Statutes are again confirmed; and where by award of any of the ſaid Commiſſioners aſſigned (according to the ſaid Statute of 1 *H.*4.12.) it is found that ſuch Weirs, Fiſh-garths, Mills, Mill-dams, Mill-ſtanks, Locks, Ebbing weirs, Kiddles, Hecks, or Floud gates, are made, levied raiſed, ſtrengthned or enlarged againſt the ſaid Statute, if the offenders therein, being duly warned thereof by the Sheriff (by *Scire facias*) do not within three months after ſuch warning, duly reform ſuch default, they ſhall forfeit 10 Marks, to be paid as by the ſaid Statute is ordained, and alſo for every month after the ſaid three months that the ſaid default is not reformed, 100 Marks more, to be divided betwixt the King and the Proſecutor: The Heir alſo or the Aſſignee of ſuch offender ſhall likewiſe forfeit 100 Marks for every month that he continues ſuch diſturbances as aforeſaid.

☞ Weights and Meaſures.

I. **Magna Charta,** 25. 9 *H.* 3. One meaſure of Wine ſhall be throughout the Realm, one meaſure of Ale, and one meaſure of Corn, *viz.* the Quarter of *London*; and one breadth of dyed Cloth, Ruſſet, and Haberjects, *viz.* two yards within the liſts; and it ſhall be of Weights as it is of Meaſures.

II. **Aſſiſa Panis & Cerviſiæ,** 51 *H.* 3. By this Statute the Aſſize of Bread was rated; *viz.* when a Quarter of Wheat ſhould be ſold for 12 *d.* waſtel Bread of a Farthing (*a kind of Bread then in uſe*) ſhould weigh 6 pounds 16 *s.* *viz.* 6 pounds 9 ounces and 12 peny weight, according to *Troy*-weight. *For at that time a pound of ſilver by* Troy-*weight was a pound Sterling, or* 20 *s. and a peny now was* 3 d. *then; and ſo it continued until* H. 6. *raiſed the ounce of Silver (which was before but* 20 d. *to* 30 d. *and after that the old peny was valued at three half pence. Afterwards* E. 4. *raiſed it to* 40 d. *then* H. 8. *to* 45 d. *and laſt of all* Qu. El. *to* 5 *s. at which rate it yet ſtands. And all this was done by the ſaid Kings and Queens Proclamations, according to the exigencies of affairs in the Commonwealth at the times when it was ſo altered.*

III. *According to the proportion ordained by this Statute, the enſuing Table is framed for the due Aſſize of Bread now in uſe.*

A Table of the Assize of Bread, according to Troy-*weight, having twelve Ounces in a Pound, and twenty Peny-weight in each of these twelve Ounces.*

Price of Wheat.		*Peny White.*			*Peny Wheaten.*			*Peny Houshold.*		
s.	*dr.*	*li.*	*ounc.*	*dr.*	*li.*	*ounc.*	*dr.*	*li.*	*ounc.*	*dr.*
19	6	1	5	7	2	2	0	2	10	19
20	0	1	4	18	2	1	6	2	9	16
20	6	1	4	10	2	0	14	2	9	0
21	0	1	4	2	2	0	2	2	8	4
21	6	1	3	14	1	11	12	2	7	8
22	0	1	3	6	1	11	0	2	6	12
22	6	1	3	0	1	10	10	2	6	0
23	0	1	2	4	1	10	0	2	5	8
23	6	1	2	8	1	9	12	2	4	16
24	0	1	2	2	1	9	2	2	4	4
24	6	1	1	16	1	8	13	2	3	12
25	0	1	1	10	1	8	6	2	3	0
25	6	1	1	5	1	7	18	2	2	10
26	0	1	1	0	1	7	10	2	2	0
26	6	1	0	15	1	7	3	2	1	10
27	0	1	0	10	1	6	16	2	1	1
27	6	1	0	6	1	6	8	2	0	12
28	0	1	0	1	1	6	0	2	0	2
28	6	0	11	17	1	5	15	1	11	14
29	0	0	11	13	1	5	10	1	11	6
29	6	0	11	9	1	5	4	1	10	17
30	0	0	11	5	1	4	18	1	10	10
30	6	0	10	1	1	4	12	1	10	2
31	0	0	10	18	1	4	6	1	9	16
31	6	0	10	14	1	4	1	1	9	8
32	0	0	10	11	1	3	16	1	9	2
32	6	0	10	8	1	3	12	1	8	16
33	0	0	10	5	1	3	6	1	8	10
33	6	0	10	3	1	3	0	1	8	4

Price

Price of Wheat.		Peny White.			Peny Wheaten.			Peny Houſhold.		
s.	dr.	li.	ounc.	dr.	li.	ounc.	dr.	li.	ounc.	dr.
34	0	0	9	19	1	2	15	1	7	18
34	6	0	9	16	1	2	12	1	7	12
35	0	0	9	13	1	2	8	1	7	6
35	6	0	9	10	1	2	4	1	7	0
36	0	0	9	8	1	2	1	1	6	16
36	6	0	9	5	1	1	18	1	6	10
37	0	0	9	2	1	1	14	1	6	4
37	6	0	9	0	1	1	10	1	6	0
38	0	0	8	18	1	1	7	1	5	16
38	6	0	8	15	1	1	4	1	5	11
39	0	0	8	13	1	1	0	1	5	6
39	6	0	8	11	1	0	16	1	5	2
40	0	0	8	9	1	0	12	1	4	18
40	6	0	8	7	1	0	9	1	4	14
41	0	0	8	5	1	0	6	1	4	10
41	6	0	8	3	1	0	3	1	4	6
42	0	0	8	1	1	0	0	1	4	2
42	6	0	7	19	0	11	18	1	3	18
43	0	0	7	17	0	11	13	1	3	14
43	6	0	7	15	0	11	11	1	3	10
44	0	0	7	13	0	11	10	1	3	6
44	6	0	7	12	0	11	6	1	3	5
45	0	0	7	10	0	11	4	1	3	0
45	6	0	7	8	0	11	2	1	2	17
46	0	0	7	6	0	11	0	1	2	14
46	6	0	7	5	0	10	18	1	2	10
47	0	0	7	4	0	10	16	1	2	7
47	6	0	7	2	0	10	13	1	2	4
48	0	0	7	1	0	10	10	1	2	1
48	6	0	6	19	0	10	8	1	1	18
49	0	0	6	17	0	10	6	1	1	16
49	6	0	6	16	0	10	4	1	1	13
50	0	0	6	15	0	10	2	1	1	10
50	6	0	6	14	0	9	0	1	1	7
51	0	0	6	12	0	9	18	1	1	4
51	6	0	6	11	0	9	16	1	1	2
52	0	0	6	10	0	9	14	1	1	0
52	6	0	6	8	0	9	12	1	1	17
53	0	0	6	7	0	9	10	1	0	14
53	6	0	6	6	0	9	8	1	0	12

Price of Wheat.		Peny White.			Peny Wheaten.			Peny Houſhold.		
s.	dr.	li.	ounc.	dr.	li.	ounc.	dr.	li.	ounc.	dr.
54	0	0	6	5	0	9	6	1	0	10
54	6	0	6	4	0	9	5	1	0	8
55	0	0	6	3	0	9	4	1	0	6
55	6	0	6	1	0	9	2	1	0	3
56	0	0	6	0	0	9	0	1	0	0
56	6	0	5	19	0	8	18	0	11	18
57	0	0	5	18	0	8	17	0	11	16
57	6	0	5	17	0	8	15	0	11	14
58	0	0	5	16	0	8	14	0	11	11
58	6	0	5	14	0	8	13	0	11	9
59	0	0	5	13	0	8	12	0	11	6
59	6	0	5	12	0	8	10	0	11	4
60	0	0	5	11	0	8	8	0	11	2
60	6	0	5	10	0	8	6	0	11	1

IV. According to the aboveſaid rate (*at the time when this Statute was made*) a Baker in a Quarter of Wheat (*as was then proved by the Kings Bakers*) might gain 4 *d.* and the Bran, and two loaves for advantage; for three Servants 1 *d. ob.* for two Lads *ob.* for Salt *ob.* for kneading *ob.* for Candle *q.* for Wood 3 *d.* and for his boultel *ob. in toto* 12 d. ob. q. *Which being trebled* (*according to the rate of Mony now*) *amounts to* 3 s. 2 d. q. *and may therefore be now conceived fit for the Baker to gain in the uttering of every Quarter of Wheat. Howbeit note, that by the Book of Aſſize now in uſe publiſhed by Proclamation towards the latter end of the Reign of Queen* Elizabeth, *Bakers inhabiting Corporate Towns* (*in regard that they pay Scot and Lot there*) *are allowed* 6 s. *in every Quarter of the middle prized Wheat for their charge in Baking; and Country or forein Bakers only* 4 s. *For Example: When the middle price of Wheat is* 30 s. *the Quarter, for Aſſiſe of Town-Bakers, you are to find in the fore-going Table the Aſſiſe of Bread anſwering to* 36 s. *but for the Aſſiſe of forein Bakers that of* 34 s. *And therefore* (*in that caſe*) *the peny white Loaf put to ſale by Town-Bakers ought to weigh nine ounces, eight peny weight; but that uttered by forein Bakers, nine ounces nineteen peny weight, as appears in the Table.*

V. When a Quarter of Wheat is ſold for 3 *s.* or 3 *s.* 4 *d.* and Barly for 20 *d.* or 2 *s.* and Oats for 16 *d.* the Quarter, Brewers in Cities may afford to ſell two gallons of Beer or Ale for 1 *d.* and out of Cities 3 gallons for one peny, and when in a Town 3 gallons may

be ſold for 1 *d.* out of a Town four gallons may be afforded: And this Aſſiſe ſhall be obſerved throughout *England.*

VI. The Aſſiſe of Bread ſhall be rated according to the middle price of Wheat, and ſhall not be charged but by 6 *d.* increaſing or decreaſing in the ſale of a Quarter.

VII. *Stat. de Ponderibus & Menſuris.* An *Engliſh* peny ſterling (being now 3 *d.*) ſhall weigh 32 grains of Wheat taken out of the middle of the ear, and 28 *d.* do make an ounce, 12 ounces a pound, 8 pounds a gallon, 8 gallons a *London* buſhel which is the eighth part of a Quarter. *Stat.* 31 *E.* 1. *See* Raſtal Weights 7, 8.

VIII **Stat.** *of Pillory and Tumbrel,* 51 *H.* 3. If a Baker or Brewer be convict, not to have obſerved the Aſſize; for the firſt, ſecond and third fault, he ſhall be amerced; except the offence be grievous and often, and then ſhall the Baker to the Pillory, and the Brewer to the Tumbrel, or ſome other correction

IX. Six men ſhall be ſworn truly to gather all the Meaſures and Weights of the Town, and of Mills; and upon the meaſures and weights, as alſo upon every loaf, ſhall the name of the owner be diſtinctly written. After this, 12 lawful men ſhall be ſworn to make true anſwer on the Kings behalf upon the Articles hereafter following; and the Bailiff ſhall be commanded to bring the Bakers and Brewers with their meaſures and all things under-written.

X. Then firſt the Jury ſhall enquire the firſt, ſecond and third prices of Wheat ſold the laſt Market-day. and alſo of Barly and Oats; and upon how much increaſe or decreaſe of the price of Wheat, the Baker ought to change the Aſſiſe of his Bread, and how much it ought to weigh, according to the preſent price of Wheat; and whether the Town have a Pillory of convenient ſtrength.

XI. Again, they ſhall enquire of the Aſſiſe and price of Wine, and the Vintners names, and how they ſell, and whether they utter that which is wholſom for mans body; alſo of the Aſſiſe of Ale in the Court of the Town, how it is, and whether it be obſerved. And if the Brewers be found to have ſold contrary to the Aſſiſe, they ſhall be amerced, or elſe judged to the Tumbrel.

XII. They ſhall enquire likewiſe of ſuch as uſe double or falſe Weights or Meaſures; of Burchers and Cooks that ſell unwholſom Meat; and of Foreſtallers, which buy any thing before the accuſtomed time of Market.

XIII. **Stat.** *de Piſtoribus,* 31 *E.* 1. The Aſſiſe or weight of Wheat ſhall never be changed but when there is 6 *d.* increaſing or decreaſing in the price of a Quarter.

XIV. If a Bakers Bread be found a farthing weight lacking in two ſhillings ſix pence, or under, he ſhall be amerced; and if it paſs the ſame number, he ſhall ſuffer the puniſhment of the Pillory, which ſhall not be remitted for gold or ſilver; and every Baker ſhall have a mark of his own Bread.

XV. *According to which propertion, it ſeems that if a Bakers bread wants not a peny weight in ſix ounces, he ſhall not incur amercement.*

XVI. Every Pillory or Stretch-neck muſt be made of convenient ſtrength, ſo that execution may be done upon offenders without peril of their bodies.

XVII. The Toll of a Mill ſhall be taken according to cuſtom and the ſtrength of the water, either to the 20 or 26 corn; alſo by a meaſure agreeable to the Kings Standard, and by the rate, and not by heap or cantel. And if the Farmers find the Millers their neceſſaries, they ſhall take nothing beſides their due toll, in pain to be grievouſly amerced.

XVIII. The Aſſiſe of Ale, ſhall be aſſeſſed, proclaimed and kept, according to the price of Corn whereof Malt is made; and the Brewer ſhall not increaſe more in a gallon, but according to the rate of 6 *d.* riſing or falling in a Quarter of Malt; and if he break the Aſſize, for the firſt, ſecond and third time he ſhall be amerced, but for the fourth he ſhall incur the Pillory.

XIX. A Butcher that ſells Swines fleſh mezzled, or dead of the murrain, ſhall for the firſt time be amerced, for the ſecond incur the Pillory, for the third be impriſoned and make fine, and for the fourth ſhall forbear the Town: And in this manner ſhall it be done to all that offend in like caſe.

XX. The Standard of Buſhels, Gallons and Elns, ſhall be ſigned with an Iron Seal of the Kings; and no Meaſure ſhall be in any Town, unleſs it do agree with the Kings Meaſure, and be marked with the Seal of the Shire Town.

XXI. If any do ſell or buy with Meaſures unſealed, and not examined by the Mayor and Bailiffs, he ſhall be grievouſly amerced.

XXII. All Meaſures ſhall be viewed twice every year; and if any be convict of a double Meaſure, he ſhall be impriſoned and grievouſly puniſhed.

XXIII. The Standard Buſhels and Elns ſhall be in the cuſtody of the Mayor and Bailiffs, and of ſix lawful perſons of the Town being ſworn, before whom all Meaſures ſhall be ſealed; and no grain ſhall be ſold by the heap or cantel, except it be Oats, Malt, and Meal.

XXIV. No Foreſtaller ſhall be ſuffered to dwell in any Town; and if any be convict of that offence for the firſt time he ſhall be amerced, and loſe the thing ſo bought; for the ſecond ſhall have judgment of the Pillory; for the third, ſhall be impriſoned and make fine, and for the fourth, ſhall abjure the Town; and like Judgment alſo ſhall be given his acceſſories.

XXV. An Ordinance for meaſuring of land, 34 *E.* 1. *See the Statute at large.*

XXVI. **Stat.** 14 *E.* 3. 12. There ſhall be one Weight and one Meaſure through the Realm of *England*; and the Treaſurer ſhall cauſe to be made certain Standards of Buſhels, Gallons and Weights of Braſs, and ſhall ſend them into every County where ſuch Stand-

ards

ards are not already ſent; and thereupon ſhall be aſſigned two ſufficient perſons of every County, (or more, if need be) to ſurvey Weights and Meaſures according to the Standard, who ſhall have power to hear, determine and puniſh all thoſe that ſhall thereof be found guilty, and to command the Sheriff to impriſon them, till they ſhall make fine to the King.

XXVII. The ſaid Officers ſhall every year, the next day after the Feaſt of S. *Michael*, deliver their Eſtreats into the Exchequer, and take for their expences a fourth part of that they can levy, and ſhall anſwer the King the other three parts; and the fourth part alſo of that they cannot levy ſhall be anſwered them in the Exchequer, and the other 3 parts ſhall be levied for the Kings uſe.

XXVIII. **Stat.** 25 *E.* 3. *Stat.* 5. 9. Auncel weight ſhall be quite put out, and weighing ſhall be by equal balance, *Stat.* 34 *E.* 3. 5.

XXIX. **Stat.** 25 *E.* 3. *Stat.* 5. 10. Every Meaſure ſhall be according to the Kings Standard, and ſhall be ſtriked without heap, ſaving the rents of the Lords: and the King ſhall aſſign certain Juſtices in every County to inquire, hear and determine upon the points aforeſaid, and to inflict puniſhment according to the treſpaſs,

XXX **Statutum Stapul** 27 *E.* 3. 10. There ſhall be one Weight and one Meaſure, and none ſhall uſe any deceit in weighing commodities by an uneven tongue of the balance, or by putting to hand, foot, or other touch; on pain to forfeit the value of the commodities ſo weighed, to ſuffer one years impriſonment and to be ranſomed at the Kings will; and the party grieved ſhall recover quadruple damages.

XXXI. There ſhall be Juſtices aſſigned to enquire of ſuch treſpaſſes, and to do right, as well at the Kings ſuit as at the ſuit of the party.

XXXII. **Stat.** 13 *R.* 2. 9. There ſhall be one Weight and Meaſure throughout *England*; and he that ſhall be convicted to have uſed any other ſhall ſuffer 6 months impriſonment, and yield double damages to the party grieved; except in *Lancaſhire*.

XXXIII. **Stat.** 15 *R.* 2. 4. Eight Buſhels of Corn ſtriked ſhall be accounted a Quarter, as well by water as by land; and none ſhall buy otherwiſe on pain to forfeit the Corn or Malt bought.

XXXIV. **Stat.** 16 *R.* 2. 3. All Weights and Meaſures ſhall be according to the Standard of the Exchequer: And the Clerk of the Market ſhall have all his Weights and Meaſures ready, together with marks of the Exchequer, and ſhall carry and bring them with him when he makes eſſay of Weights ann Meaſures; neither ſhall he nor any other uſe any other, upon the pains ordained by former Statutes

XXXV. **Stat.** 1 *H.* 5. 10. No Purveyor of the King, nor any other ſhall buy or take any Corn by any other meaſure than 8 Buſhels ſtriked for the Quarter; and payment ſhall be made in hand for the carriage.

XXXVI. If any Purveyor offend herein, he ſhall incur a years impriſonment and forfeit 5 *l.* to the King, and as much to the party grieved: And nothing ſhall be taken for the meaſuring of Corn.

XXXVII. Juſtice of Peace have power to hear and determine theſe offences.

XXXVIII. Stat. 2 *H.6.* 11. The Tun of Wine ſhall contain 252 gallons *Engliſh* meaſure, the Pipe 126 gallons, the Barrel of Herrings or Eels ſhall contain 30 gallons, the But of Salmon 84 gallons; and ſo of other leſſer meaſure after the ſame rate.

XXXIX. None ſhall import or make any Veſſel contrary to this Act, in pain to forfeit the Commodities therein contained to the Lord of the Town where they are found, whereof the Proſecutor ſhall have the fourth part.

XL. Juſtices of Peace, and Mayors and Bayliffs (having power to enquire of the Peace) have power to hear and determine theſe Offences.

XLI. Stat. 8 *H.* 6. 5. Every City, Borough and Town within *England* ſhall have a common Balance, with common Weigths ſealed, and according to the Standard of the Exchequer, upon the common coſts of the ſaid City, Borough or Town, in the keeping of the Head Officer or Conſtable there; in pain that the City for ſuch default ſhall forfeit 10 *l.* to the King, the Borough 5 *l.* and every other Town 40 *s.*

XLII. At this Balance all the Inhabitants may weigh *gratis*; but a foreiner ſhall for every draught under forty pound pay a farthing; for a draught betwixt forty pound and an hundred, an half peny; and for a draught betwixt an hundred and a thouſand, a peny; whereof the Weights ſhall be maintained, and the Officers which attend that ſervice rewarded, at the diſcretion of the ſaid Inhabitants.

XLIII. Juſtices of Peace, Mayors, Bailiffs and Stewards of Franchiſes, have power to hear and determine theſe offences.

XLIV. Stat. 9 *H.*6.6. The Burgeſſes of *Dorcheſter* ſhall not be diſturbed by the Stat. of 8 *H.* 6. 5. to uſe their weighing within 12 miles compaſs of that Town, ſo as they uſe ſuch Weights as in the ſaid Statute are expreſſed.

XLV. Stat. 9 *H* 8. A Weight of Cheeſe ſhall contain 32 Cloves, and every Clove 7 pound.

XLVI. Stat. 11 *H.* 6. 8. The Stat. of 1 *H.* 5. 10. and 8 *H.* 6. 5. ſhall be duly put in execution.

XLVII. In every City, Borough and Town, there ſhall be a common Buſhel ſealed, and according to the Standard, in like manner and pain as in the ſaid Statute of 8 *H.*6.5. is ſpecified for a common Balance.

XLVIII. All Juſtices of Peace, Mayors and Head Officers, ſhall have power to hear and determine the offences committed againſt the ſaid Statutes by examination or inquiſition, and as well at the ſuit of the King, as of the party grieved.

XLIX. The

XLIX. The Mayor of *London*, and all other Mayors and Bailiffs, on their Oaths ſhall be charged to keep and execute all the ſaid Statutes, and ſhall be accountable in the Exchequer for all profits and forfeitures which ſhall grow due thereupon to the King.

L. **Stat.** 1 *R.* 3. 13. The Contents of every veſſel of Wine and Oil; and they ſhall not be ſold until they be gauged by an Officer to be appointed by the King for that purpoſe. The Meaſures are theſe; a Tun of Wine 252 gallons, a Pipe 126, a Tertian 84, a Hogſhead 63, a Barrel 31 and an half, and a Rundlet 18 and an half.

LI. **Stat.** 7 *H.* 7. 4. (*or, according to* Raſtal, *cap.* 3.) Meaſures and Weights of Braſs ſhall be ſent to every City and Borough there to be kept as their Treaſure, according to which all Meaſures and Weights in every County ſhall be reformed.

LII. The Mayor or chief Officer of every ſuch place ſhall have a ſpecial mark wherewith he ſhall ſeal the ſaid Meaſures and Weights; and ſhall take for ſealing of a Buſhel a peny, and of every other Meaſure an half peny; for an hundred weight a peny, for half an hundred an half peny, and for every leſs weight a farthing.

LIII. If he refuſeth or delayeth to ſeal them, or do any thing contrary to this Act, he ſhall forfeit 40 *s.* to be divided betwixt the King and the party grieved, and to be recovered by Action of Debt, wherein no wager of Law ſhall be admitted.

LIV. Juſtices of Peace have power to hear and determine the ſaid defaults.

LV. **Stat.** 11 *H.* 7. 4. Meaſures and Weights of Braſs ſhall be ſent to Cities and Boroughs there eſpecially named.

LVI. Only Cities, Boroughs and Market-towns ſhall be enjoyned to have common Balances, Weights and Meaſures, and all other Towns ſhall be excuſed, notwithſtanding the Statutes of 8 *H.* 3. 6. and 11 *H.* 8. above-mentioned.

LVII. The Mayors and chief Officers of the ſaid Cities, Boroughs and Market-towns, which ſhall have delivered to them ſuch Weights and Meaſures ſealed with the letter *H* crowned, (*or with the firſt letter of the name of the King of* England *for the time being.*) ſhall have Authority and power to ſign ſuch Weights and Meaſures unto any of the Kings Subjects, (duly requiring the ſame) taking for the Marking of every Buſhel only 1 *d.*

LVIII. None ſhall buy or ſell with any other Weights or Meaſures in any City, Borough or Market-town, but ſuch as are ſo marked, nor in any other place with a Buſhel which is not ſo marked.

LIX. Mayors and chief Officers ſhall at leaſt once every year view all Meaſures and Weights within their Juriſdictions, and break or burn them which they find defective, and alſo inflict puniſhment upon the Offenders; *viz.* for the firſt offence 6 *s.* 8 *d.* for the ſecond 13 *s.* 4 *d.* and for the third 20 *s.* and beſides adjudge them to the Pillory.

LX. Two Justices of Peace (1 *Quorum*) have authority, as well by examination as by inquiry, to hear and determine the defaults of Mayors and other Head Officers, and also of buyers and sellers contrary to this Act, and to set Fines and Amercements upon the Offenders at their discretion; and the defective Weights and Measures are to be forfeited and burnt.

LXI. Eight bushels of Corn raised and stricken shall be accounted a Quarter, 14 pound a stone of Wool, and 26 stone a Sack. Howbeit, this Act shall not extend to any person selling or buying by water-measure within Ship-board, whereof every bushel shall contain five Pecks raised and stricken.

LXII. Within the Cinque ports the Lord Warden, or his Lieutenant shall order the Weights and Measures.

LXIII. **Stat.** 12 *H.*7.5. A bushel shall contain 8 gallons of wheat, and every gallon 8 pound of wheat *Troy*-weight, and every pound 12 ounces, and every ounce 20 Sterlings, (*or peny weights*;) every Sterling shall weigh 32 grains of wheat, that grew in the midst of the ear of wheat; and a Standard for the Kings Treasury is to be made according to this Assize.

LXIV. Whereas Weights and Measures sent down to Cities and Boroughs last year by the Statute of 11 *H.*7 4. were found defective, others more perfect shall be sent thither at the charge of the said Cities and Towns; according to which all other Weights and Measures shall be regulated, upon the pains in the said Statute contained,

LXV. **Stat** 28 *H.*8.14. *in fine.* The Statute of 1 *R.*3.13. and all other Statutes made for the due gauging and measuring of Wine, Oil, Hony, and other Liquors, shall be duly put in execution,

LXVI. Every Gauger shall duly gauge all the said Vessels, and mark upon the head of each of them the true content thereof, on pain to forfeit to the buyer thereof the quadruple value of that it wants; besides costs of suit. The Merchant also shall recompence the buyer what it wants, according to the value of the vessel bought, on pain to forfeit to the buyer the double value of such vessel sold, together with costs of suit.

LXVII. **Stat.** 22 *Car.*2.*cap.*8. A Clause in a Statute made in the 17 year of King *Car.* I. that such Measure as is commonly called Water-measure shall be used as formerly hath been, shall be Repealed as to measuring Corn, Grain or Salt; and if any sell Corn or Grain, or Salt by other bushel or measure than according to the Standard, and the said bushel strucken even by the brim, and Sealed as this Act directs, shall forfeit 40 *s.* to be levied in such manner, and such penalties for want of Distress to be inflicted, as by the said Act is directed, by Warrant of a Justice of Peace.

LXVIII. If Head Officers of Cities, Boroughs or Corporations, or Liberties, wilfully suffer any to sell or buy Corn or Grain, or Salt by other measure, or strucken in other manner, or shall suffer other measure to be used, than this Act directs, or upon complaint of the

breach

breach of this Statute, ſhall not puniſh and reform the ſame, upon conviction thereof at the General Seſſions of the Peace, ſhall forfeit Five pound, one moiety to the Informer, the other to the Poor of the Pariſh, where the offence is committed, to be levied by diſtreſs and ſale of Goods, and for want thereof by impriſonment till payment.

LXIX. If the Clerk of the Market of the Kings Houſe within the Verge, or others authorized by Law to mark or ſeal Meaſures within their reſpective Juriſdictions, ſhall refuſe, being required, to ſeal any Buſhel, Half buſhel or Peck duly gauged, they ſhall forfeit for the firſt offence five pound, and for every other ten pound to be levied as aforeſaid: Or if the ſaid Clerk of the Market take more than the accuſtomed Fees; or if others take more than one peny for ſealing and marking a buſhel, than one halt peny for an half buſhel or peck, or than one farthing for any meaſure containing one gallon, pottle, quart, pint, or half pint, they ſhall incur the penalties contained in the ſaid Stat. of 17 *Car.* 1.

LXX. At their charge who ſhall have the toll, or profit of the Market where no toll is, within any City, Corporation or Market-town, there ſhall be before the 29 of *September* 1670. one meaſure of Braſs provided, and chained in the publick Market-place, on pain to forfeit five pounds, to be recovered and levied as by this Act is directed, one moiety to the Poor of the Pariſh, another to him that will ſue for the ſame.

LXXI. Conſtables may ſearch and examine if any uſe other Meaſures, or ſtrike them in other manner than this Act directs, and if they find any unſealed Meaſure, may break the ſame: And for that and every other offence againſt this Act, ſhall preſent the Offender at the next Quarter Seſſions.

LXXII. None puniſhed by virtue of this Act, ſhall be queſtioned for the ſame offence by virtue of any other Act.

LXXIII. None ſhall take toll or any thing in lieu thereof but according to ſuch proportion as the meaſures in this Act appointed bear to the Meaſures whereby the ſame hath been uſually taken.

LXXIV. **Stat.** 22 & 23 *Car.* 2. *cap.* 12. They that ſell or buy Corn or Salt without meaſuring, being thereto required, or in other manner by 22 *Car.* 2. *cap.* 8. is directed, and that without ſhaking the Meaſure by the buyer, ſhall forfeit beſides the penalty of the former Act all the Corn or Salt, or the value thereof to the perſons complaining.

LXXV. Upon complaint to one or more Juſtices of Peace, the proof ſhall lie upon the Defendant to make appear by Oath of one or more witneſſes, that they did buy or ſell according to this and the ſaid Act: Wherein if he fail, he ſhall forfeit as by this Act is directed, to be levied by diſtreſs and ſale of Goods under hand and Seal of one or more Juſtice before whom ſuch conviction ſhall be: which penalties ſhall be diſtributed, one half to the Poor of the Pariſh where the offence was committed, the other to the Informer.

LXXVI. In

LXXVI. In Markets where there is not a Clerk of the Market, the Mayor, &c. or Head Officer, or others having the benefit of ſuch Market, ſhall ſeal Meaſures duly gauged, brought for that purpoſe, taking no more than by the former Act is appointed.

LXXVII. All they to whom any Salt, Rent-corn, or Tythe-corn is due, may take them by the like Meaſures as they were paid by before the beginning of this Parliament.

White-Aſhes.

* I. **Stat.** 2 & 3 *E.* 6. 26. None ſhall ſhip, lade, carry or Convey any White Aſhes towards the parts beyond Sea, in pain to forfeit for every Buſhel 6 *s.* 8 *d.* to be divided betwixt the King and the Proſecutor.

Whitegate.

I. **Stat.** 33 *H.* 8. 32. The Church of *Whitegate* in *Cheſhire* ſhall be a Pariſh-Church, and no part of the Pariſh of *Over*.

Wild-fowl.

* I. **Stat.** 25 *H.* 8. 11. None ſhall deſtroy or take away the Eggs of any Wild fowl, in pain to forfeit for every Egg of a Crane or Buſtard ſo taken or deſtroyed 20 *d.* of a Bittern, Hern or Shoveard 8 *d.* and of a Mallard, Teal or other Wild-fowl 1 *d.* to be divided betwixt the King and the Proſecutor: And the Juſtices of Peace have power to enquire, hear and determine offences of this kind, as they uſe to do in caſes of Treſpaſs.

Wills.

I. **Merton** 2. 20 *H.* 3. Widows may bequeath the crop of their ground, as well of their Dowers as other lands, ſaving to the Lords of the Fee all ſuch ſervice as be due for their Dowers or their Tenements.

II. **Stat.** 32 *H.* 8. 1. Every perſon having Manors, Lands, Tenements, or Hereditaments, holden in Socage, or of the nature of Socage-tenure, and not having any ſuch Manors, Lands, &c. holden of the King by Knight ſervice, Socage-Tenure in chief, or of the nature of Socage tenure in chief, nor of any other perſon by Knight-ſervice, ſhall have power to give, diſpoſe, will, and deviſe, as well by his laſt Will and Teſtament in writing, as otherwiſe by any Act executed in his life, all ſuch Manors, Lands, &c. at his pleaſure.

III. Every

III Every perſon having Manors, Lands &c. holden of the King in Socage, or of the nature of Socage in chief, and having any other Manors, Lands &c. holden of any other perſon in Socage, or of the nature of Socage, and not having any Manors, Lands, &c. holden of the King or any other by Knight-ſervice, ſhall have power to give, will, diſpoſe and deviſe, as well by his laſt Will and Teſtament in writing, as otherwiſe by any act executed in his life, all ſuch Manors, Lands, &c. or any of them, at his pleaſure.

IV. Howbeit, all ſuch *Primer ſeiſins*, Reliefs Fines for alienation, and all other rights and duties for tenures in Socage, or in the nature of Socage in chief, as have been heretofore uſed, are ſaved to the King; and the ſaid Manors, Lands, &c. are to be taken had and ſued out of the Kings hands, by the perſon or perſons to whom they ſhall be ſo diſpoſed, willed or deviſed, in like manner as hath been uſed by any heir or heirs before the making of this Statute.

V. Every perſon having Manors, Lands, &c. of Eſtate in Inheritance holden of the King in chief, by Knight-ſervice, or of the nature of Knight-ſervice in chief, hath power by his laſt Will in writing, or by any other act executed in his life, to give, diſpoſe will or aſſign two parts thereof in three parts to be divided, or elſe ſo much thereof as ſhall amount to the yearly value of two parts thereof in three parts, to be divided in certainty, and by ſpecial diviſions, that it may be known in ſeveralty, for the advancement of his Wife, preferment of his Children, and payment of his Debts, or otherwiſe at his pleaſure.

VI. Here alſo the cuſtody, Wardſhip and *Primer ſeiſin*, or any of them, as the caſe ſhall require, of as much of ſuch Manors, Lands, &c. as ſhall amount to the clear yearly value of the third part thereof, as alſo all Fines for alienation, upon ſuch alteration of the Freehold, or Inheritance, are ſaved to the King.

VII. Every perſon having Manors, Lands, &c. of Eſtate or Inheritance holden of the King in chief by Knight-ſervice, and having other Manors, Lands, &c. holden of the King, or any thing by Knight-ſervice or otherwiſe, hath power to give, diſpoſe, will, or aſſign by will in writing, or otherwiſe by act executed in his life, two parts thereof in three parts to be divided, or ſo much thereof as ſhall amount to the yearly value of two parts thereof, to be ſevered as aforeſaid, for the advancement of his Wife, preferment of his Children, and payment of his debts, or otherwiſe at his pleaſure.

VIII. Here likewiſe the cuſtody, Wardſhips, *Primer ſeiſin*, and Fines for alienations, are ſaved to the King as before.

IX. Every perſon having Manors, Lands, &c. of Eſtate of Inheritance holden of any other Lord by Knight-ſervice, and other Lands in Socage, or of the nature of Socage, may give, diſpoſe, or aſſure by will, or otherwiſe by act executed in his life, two parts of the Knight-ſervice-land, or ſo much thereof as ſhall amount to the yearly value

of

of two parts, as aforeſaid, and alſo all the Socage-land at his pleaſure: ſaving to ſuch Lord (for his cuſtody and wardſhip) ſo much of the Knight ſervice-land as ſhall amount to the yearly value of the third part thereof.

X. Every perſon having Manors, Lands &c. holden of the King by Knight-ſervice, and not in chief, and other Manors, Lands, &c. holden of any other perſon in Knight ſervice, and alſo other Manors, Lands, &c. holden of any other perſon in Socage, or in the nature of Socage, may give, diſpoſe, will, deviſe and aſſure, by his laſt Will, or otherwiſe by act executed in his life, two parts of the ſaid Knight-ſervice land, or ſo much thereof as ſhall amount to two parts of the yearly value thereof, as aforeſaid, and all the Socage-land, at his will and pleaſure. Howbeit, here alſo the cuſtody and wardſhip of ſo much of the ſaid Knight-ſervice Manors, Lands, &c. as ſhall amount to the yearly value of the third part thereof, are ſaved to the King, and other Lords reſpectively; and if the King or other Lord have not (in this caſe) a full third part ſet out for them, they may (reſpectively) take into their poſſeſſion ſo much of the other two parts as will make it a full third part.

XI. Provided that all perſons ſhall ſue liveries for poſſeſſions, reverſions, or remainders, and pay reliefs and heriots, as they did before the making of this Act.

XII. Fines for Alienations ſhall be paid in Chancery upon Writs of Entry in the *Poſt* for common Recoveries ſuffered of any Manors, Lands &c. holden of the King in chief, in like manner as upon alienations of ſuch Manors, Lands, &c. by fine or feoffment. Howbeit no other fine ſhall be paid there for any ſuch Writs, but only ſuch fines for alienation.

XIII. Where two or more hold any Manors, Lands, &c. of the King by Knight-ſervice joyntly to them and the heirs of one of them, and he that hath the Inheritance dieth, his heir being within age, the King ſhall have the Ward and Marriage of ſuch heir, the life of the Freeholder or Freeholders notwithſtanding: Saving to every woman her intereſt of Dower in ſuch Lands to be aſſigned out of the two parts thereof, ſevered from the third part, as aboveſaid, and not otherwiſe; and ſaving alſo to the King the reverſions of all ſuch Tenants by Joynt tenure and Dower, after the death of ſuch Tenants, in caſe they happen to die during the Nonage of the Kings Ward.

XIV. Stat. 34 & 35 *H.* 8. 5. Where the Stat. of 32 *H.* 8. 1. mentioneth Manors, Lands, &c. of Inheritance, it ſhall be expounded and taken of Eſtates in Fee-ſimple.

XV. Every perſon having a ſole Eſtate in Fee-ſimple, or ſeiſed in Co-parcenary, or in common in Fee-ſimple, in any Manors, Lands, Tenements, Rents, or other Hereditaments, in Poſſeſſion, Reverſion, or Remainder, and having no Manors, Lands, &c. holden of the King, or of any other, by Knight-ſervice, may give, diſpoſe, will or

or deviſe to any perſon or perſons, (except Bodies Politick and Corporate,) by his laſt Will and Teſtament in writing, or by act executed in his life, by himſelf ſolely, or by himſelf and others joyntly, ſeverally or particularly, or by all thoſe ways, or any of them; as much as in him of right is, all his ſaid Manors, Lands, Tenements, Rents and Hereditaments, or any of them, or any Rents, Commons, or other Profits out of the ſame, or any parcel thereof, at his free will and pleaſure.

XVI. Every perſon having ſuch an Eſtate, or ſeiſed, as aforeſaid, of or in any Manors, Lands, Rents, &c. in Poſſeſſion, Reverſion or Remainder, or of or in any Rents or Services incident to any Reverſion or Remainder, holden of the King by Knight-ſervice in chief, or of the nature of Knight-ſervice in chief, may give, diſpoſe, will or aſſign any perſon or perſons, (except Bodies Politick and Corporate) by his laſt Will and Teſtament in writing, or by any act executed in his life, by himſelf ſolely, or by himſelf and other joyntly, ſeverally or particularly, or by all thoſe ways, or any of them, as much as in him of right is, two parts, as well of the ſaid Manors, Lands, &c. as of all other Rents and Hereditaments, or if any of them, or any Rents, Commons, Profits or Commodities out of, or to be perceived of the ſame two parts, or out of any parcel thereof, in three parts to be divided, or as much thereof as ſhall amount to the yearly value of two parts thereof, in three parts to be divided, (of what perſon or perſons ſoever they be holden) at his free-will and pleaſure.

XVII. Such Wills ſo declared ſhall be good for two parts of the ſaid Manors, Lands, &c. although it be made of the whole, or more than the two parts thereof: The ſaid diviſion to be made by the Deviſor or Owner of the ſaid Manors, Lands, &c. by Will in writing, or otherwiſe in writing; and in default thereof by Commiſſion out of the Court of Wards, upon inquiry of the true value thereof by the Oaths of twelve men. And upon return thereof in the ſame Court, the diviſion ſhall be made by the Maſter of the Wards, if the ſaid Maſter and parties cannot otherwiſe agree upon the diviſion; and the Iſſues and Profits of the two parts ſhall be reſtored to them that ſhall have right thereunto, from the death of the Owner or Deviſor.

XVIII. Every perſon being ſeiſed ſolely, in Coparcenary, or in common as aforeſaid, of any Manors, Lands, Rents, &c. in Poſſeſſion, Reverſion, or Remainder, or of any Rents or Services incident to any Reverſion or Remainder, holden of the King by Knight-ſervice, and not in chief, or of any other perſon by Knight-ſervice, may give, diſpoſe, will or deviſe to any perſon (except to Bodies Politick) by his laſt Will and Teſtament in writing, or by act executed in his life, ſolely or joyntly, as aforeſaid, two parts thereof, or any rents, commons or profits, to be perceived out of the ſame two parts, or out of any part thereof, &c. And ſuch Will ſhall be

good

good for ſuch two parts, albeit it be made of the whole lands ſo holden, or of more than the ſaid two parts and ſhall be alſo good for all lands not holden in Knight ſervice, and for all Rents, Commons, and other profits, to be perceived out of the ſame.

XIX. Here alſo the diviſion of the third part is to be made as before, where it concerns the Kings intereſt; but where it concerns other Lords, the diviſion ſhall be by Commiſſion out of the Chancery, if ſuch Lords, and the parties in the mean time cannot agree thereupon.

XX. The ſavings (in this Act, and in that of 3 *H.*8. 1.) of cuſtody, wardſhip, relief and *primer ſeiſin* to the King, and of cuſtody and wardſhip to other Lords, ſhall be expounded thus: That the King ſhall have for his full third part ſuch Manors, Lands and Tenements, as ſhall deſcend, as well in Fee-tail as in Fee ſimple, to the heir of the perſon that made ſuch Will or diſpoſition as aforeſaid; and that the Will or Gift of the two parts ſhall be good in Law, albeit the Will or Gift be made of all the Fee-ſimple lands, or the more part thereof. Howbeit, if the King have not a full third part left him, he ſhall take out of the two parts ſo much as ſhall make it up, to be ſevered by Commiſſion, as aforeſaid. And ſuch advantage alſo is given to other Lords for their third parts; and the like ſhall both the King and they do, in caſe their third parts, or any parcel of them be evicted from them or determined.

XXI. A pardon of Alienation muſt be ſued by thoſe to whom lands are deviſed, for which they ſhall pay a third part of the value of the lands holden in chief; and this Act ſhall be ſufficient warrant for the Lord Chancellor to grant ſuch pardons under the Great Seal, without farther ſuit to be made to the King for the ſame.

XXII. Wills or Teſtaments of Manors, Lands &c. made by Femes Covert, Infants, Ideots, or perſons of *non ſane memory*, ſhall not be good in Law.

XXIII. If any perſon or perſons ſhall (by Will or act executed) make any eſtate for year, life or lives, with one remainder over in Fee, or with divers remainders over for term of life, years, or in tail, with a remainder over in Fee-ſimple, or any other eſtates, conditions, meſnalties, tenures, or conveyances, by fraud or covin, to the intent to defraud the King of his Prerogative *Primer ſeiſin*, Livery, Reliefs, Wardſhips, Marriages or Rights, or any other Lords of their Wardſhips, Reliefs Heriots, or other profits, and ſuch Eſtates or other Conveyances, be found by Office to be ſo made by covin, fraud, or deceit; in this caſe the King ſhall enjoy his Prerogative and profits aforeſaid; according to this and the ſaid former act, (notwithſtanding ſuch Eſtates or Conveyances) until ſuch Office be annulled, by traverſe or otherwiſe. Alſo other Lords ſhall have their remedy in ſuch caſes for their Wardſhips by Writ of Right of Ward, and ſhall diſtrain, and make avowry or conuſance, by themſelves or their Bailiffs, for their Reliefs, Heriots, and other profits, as if no ſuch

Eſtate

Eſtate had been made. Howbeit the right and title of the Donees, Feoffees, Leſſees, and Deviſees thereof, againſt the Deviſor and his heirs, after the intereſt of the King and other Lords determined, are ſaved.

XXIV. Provided, that every perſon from whom the King or other Lord ſhall take any Manors, Lands, &c. for their third part, or to make it up, may have relief in Chancery againſt every perſon, who ſhall be intituled (by any ſuch Will or Gift) to the other two parts, to have ſuch contribution for the ſame as the Lord Chancellor or Keeper ſhall think convenient.

Wines.

I. **Statute of Glouceſter**, 15. 16 *E.* 1. The Mayor and Bailiffs (*now* Sheriffs) of *London*, before the coming of the Barons, (*which ſhould be at their riſing after* Candlemas-*term, as appears by the* 14*th Chapter of this Statute*,) ſhall enquire of Wine ſold againſt the Aſſize, and ſhall preſent it before them at their coming, and then they ſhall be amerced, whereas they were wont to tarry until the coming of the Juſtices. *Obſolete.*

* II. **Stat** 4 *E.* 3. 12. None ſhall ſell Wines but at a reaſonable price, according to the Price at the Ports from whence they come, allowing the expence of their carriage to the places where they are ſold. Trial ſhall be made of ſuch Wines twice a year, *viz.* at *Eaſter* and *Michaelmaſs*, and Officers, if need require, by the Lords of Towns and their Bailiffs, and likewiſe by Mayors and Bailiffs; and all corrupt Wines ſhall be poured out, and the veſſel broken. Alſo the Chancellor, Treaſurer, Juſtices of the Benches, and Juſtices of Aſſize, ſhall have power to enquire of Mayors, Bailiffs and Miniſters of Towns that do not obſerve this Ordinance, and to puniſh them as reaſon requires.

* III. **Stat.** 27 *E.* 3. *Stat.* 1. *cap.* 5. No *Engliſh* Merchant ſhall foreſtal *Gaſcoigne* Wines, nor buy them of any *Gaſcoign* or other, to pay in *England*, for any greater price than they are commonly ſold at in *Gaſcoign*, (becauſe of Preſt, peril of the Sea, and by any other colour) in pain of life and member, and to forfeit their Wines, Goods and Chattels to the King, and their lands to the chief Lords. *But here the Felony and forfeiture of Lands are Repealed by* 37 *E.* 3. 16. *Obſol.*

IV. *Cap.* 6. *Gaſcoign* Merchants, and other ſtrangers, may bring their Wines to what Port of *England* they pleaſe; ſo as the Kings Butler may make purveyance for Wines of Aliens, making payment for them within 40 days. *Obſol.*

V. *Cap.* 7. No *Engliſh* Merchant ſhall buy Wines of *Gaſcoign* before the Vintage, nor then, but at *Bourdeaux* and *Bayon*; upon the pain mentioned in the *5th* Chapter. *But that as to the Felony and forfeiture*

forfeiture of Lands is Repealed by 37 *E.*3.16. *as aforeſaid. Obſolete.*

* VI. **Stat.** 37 *E.*3. 16. The Felony and forfeiture of lands inflicted by 27 *E.* 3. *&* 5. 7. are repealed, and inquiry ſhall be yearly made within the Kings Dominions in *Gaſcoign* of Couchers of *England*, who lie there to buy Wines. *Obſolete.*

VII. **Stat.** 38 *E.*3.10. A confirmation of the Statutes made for Wines. *Obſolete.*

VIII. **Stat.** 38 *E.*3. 11. All Merchants Denizens, that be not Artificers, may go into *Gaſcoign* to fetch Wines, and Aliens may bring Wines into this Realm.

IX. **Stat.** 43 *E.*3. 2. *Engliſh*, *Iriſh*, and *Welſh-men*, (being not Artificers) may fetch Wine in *Gaſcoign*, ſo as they find Sureties to buy 100 Tun of their own Goods, and to bring the ſame into *England*, *Ireland* or *Wales.*

X. **Stat.** 6 *R.*2. *Stat.*1.7. Sweet Wines ſhall be ſold in *England* at the price that *Gaſcoign* and *Rheniſh* Wines are ſold for, and not above, on pain to forfeit the ſame.

XI. **Stat.** 23 *H.* 6. 18. No new impoſitions ſhall be laid upon them that buy Wines in *Gaſcoign* and *Guienne* by any of the Kings Officers in thoſe parts, on pain of 20 *l.* and treble damages. *Obſolete.*

* XII. **Stat.** 28 *H.*8.14. The Lord Chancellor, Treaſurer, Preſident of the Council, Privy-Seal, and the two Chief Juſtices, or five, four, or three of them, have power, at their diſcretions, to ſet the prices of all kinds of Wines, *viz.* of the But, Tun, Pipe, Hogſhead, Puncheon, Tierce, Barrel or Rundlet, when they ſhall be ſold in groſs; ſo as they cauſe the prices ſo ſet to be written, and openly proclaimed in Chancery in the Term-time, or elſe in the City, Borough or Town, where any ſuch Wines are ſold in groſs.

XIII. None ſhall ſell Wine otherwiſe than according to the prices ſo ſet and proclaimed as aforeſaid, on pain to forfeit 40 *l.* for every veſſel otherwiſe ſold, to be divided (in a Corporation) betwixt the King and the Head Rulers there, but (out of a Corporation) betwixt the King and the Proſecutor.

XIV. Juſtices of Peace and Head Officers have power to hear and determine the defaults of all ſuch as ſell Wine in groſs or by retail, contrary to this Act.

XV. **Stat.** 37 *H.* 8. 23. The great Officers appointed by the Statute of 28 *H.*8.14. to ſet prices upon Wines, ſhall ſo ſet them between the 20*th* day of *November*, and the laſt day of *December*, and at no time elſe; and none that ſell Wines either in groſs or by retail, ſhall ſell them above thoſe prices, upon the penalties in the ſaid Stat. of 28 *H.*8. contained.

XVI. If any refuſe to ſell their Wines accordingly; in *London* the Mayor, Recorder, and two ancient Aldermen, being no Vintners, and in other places the Mayor, Bailiffs, Aldermen, and other Officers, whereof the chief Officer is to be one, may enter the houſes of ſuch

ſuch perſons, and ſell their Wines at the prices ſo aſſeſſed as aforeſaid.

☞ XVII. **Stat.** 7 *E.* 6. 5. None ſhall utter Wine by retail in any other places than in Cities, Boroughs, Port towns, or Market-towns, or in *Graveſend*, *Sittingborn*, *Tuxford* or *Bagſhot*, on pain to forfeit 10 *l.* for every day that they ſell Wine otherwiſe.

XVIII. None ſhall utter Wine by retail in any City, Borough or Corporation, but by licenſe of the moſt part of the Common Couneil, Aldermen, Burgeſſes, or Commonalty there, under their common Seal; nor in any City, Borough, Port-town, or Market-town not corporate, or in *Graveſend*, *Sittingborn*, *Tuxford* or *Bagſhot*, without licence of the Juſtices of Peace of the County in Seſſions under their Seal; in pain to forfeit 5 *l.* for every day that they ſell Wine otherwiſe: which ſaid Officers Commonalty and Juſtices, have power to continue or change ſuch licences at their diſcretions; but ſhall not licenſe above two in one place, in pain to forfeit 5 *l.* a piece, except in theſe hereafter following, in which it ſhall be lawful to licenſe more than two, *viz.* in

London	40	*Exeter*	4	*Canterbury*	14
York	8	*Salisbury*	3	*Ipſwich*	3
Norwich	4	*Glouceſter*	4	*Winchеſter*	3
Weſtminſter	3	*Weſtcheſter*	4	*Oxford*	3
Briſtol	6	*Hereford Eaſt*	3	*Cambridge*	4
Lincoln	3	*Worceſter*	3	*Colcheſter*	3
Hull	4	*Southampton*	3	*Newcaſtle*	4
Shrewsbury	3				

XIX. None ſhall ſell or utter Wine by retail to be ſpent in his or their Manſion houſe, or in any other place in their tenure, by any colour, craft or engin, on pain of 10 *l.*

XX. The aboveſaid forfeiture ſhall be divided betwixt the King and the Proſecutor.

XXI. Juſtices of Peace within every County and Corporation in Seſſions, Stewards in Leets, and Sheriffs in their turns, have power to enquire (by the Oaths of 12 men) of all offences committed againſt this Act, in which caſe the forfeitures which ſhall thereupon grow due, ſhall be divided betwixt the King and the Poor of the Town or place where the Preſentment ſhall be found.

XXII. This Act ſhall not prejudice the liberties of either of the Univerſities, nor charge any perſon offending, unleſs the Suit be proſecuted within a year.

XXIII. **Stat.** 12 *Car.* 2. *cap.* 25. No perſon not Authorized as by this Act is appointed, ſhall utter by retail any Wines, on pain to forfeit for every ſuch offence 5 *l.* one moiety to the King, the other moiety to him that will ſue for the ſame.

XXIV. The King may iſſue out under the Great Seal Commiſſions to two or more, to licenſe whom they think fit to ſell Wine by retail, according to the directions of this Act. Such perſons ſo appointed ſhall be called his Majeſties Agents for granting licences for the ſelling and uttering Wine by retail; and may under their Seal of Office to be appointed by the King, grant ſuch licence for any term not exceeding 21 years, if the perſon ſo long live, and for ſuch rent as they can agree, to be anſwered half yearly, and no Fine to be taken.

XXV. Such licenceſhall not be granted but to ſuch as perſonally uſe the trade or to the Landlord of the houſe, nor ſhall be aſſignable.

XXVI. The King may appoint other Officers to carry on this Service, ſo as their Salaries with the wages of his ſaid Agents exceed not 6 *d.* in the pound of the Revenue that ſhall hence ariſe. Which Revenue, except ſuch wages, ſhall be duly paid into the Exchequer and not charged with any Gift or Penſion. The ſaid Agents ſhall return into the Exchequer every *Mich.* and *Eaſter* Terms upon Oath an account of what licences have been granted, and what Rent reſerved, and what is in Arrear, with the Securities of perſons ſo in Arrear.

XXVII. The Priveleges of the Univerſities ſaved, and of the Company of Vintners in *London*, and thoſe of other Cities and Towns Corporate, and the Powers and Authorities granted by Queen *Elizabeth* and King *James*, to the Mayor and Burgeſſes of St. *Albans* in *Hertfordſhire*, for licencing three Taverns towards the maintenance of the Free-School there.

XXVIII. The Officers to be appointed ſhall take nothing in reſpect of this Service, but 5 *s.* for a licence, 4 *d.* for an acquittance and 6 *d.* for a bond, under the pain of 10 *l.* one half to the King the other to the Proſecutor.

XXIX. All perſons that ſell Wines in groſs mingled or abuſed, ſhall forfeit 100 *l.* for every Offence; and all ſelling ſuch Wines by retail, 40 *l.* one half to the King, the other to the Informer. No *Spaniſh* or ſweet Wines ſhall be ſold for above 18 *d.* *per* Quart by retail. No *French* Wines above 8 *d.* No *Rheniſh* Wines above 12 *d.* and ſo proportionably; on pain of 5 *l.* for every quantity ſo ſold, the one moiety to the King, the other to him that will ſue.

XXX. But the Chancellor of *England*, the Treaſurer, Preſident of the Council, Lord Privy Seal, the two chief Juſtices, or five, four or three of them, may yearly between the 20*th* of *November*, and the laſt of *December*, ſet the prices of Wines at higher or lower rates than as aforeſaid: Proclamation whereof to be made in the Chancery in Term-time, or in the City, Borough, or Town Corporate, where ſuch Wines ſhall be ſold; and in default of ſuch ſetting, the prices for by this Act ſhall be obſerved. *Confirmed* 13 *Car.* 2 *cap.* 7.

XXXI. Stat.

XXXI. **Stat.** 15 *Car.*2. *cap.* 14. *James* Duke of *York*, and the heirs male of his body, ſhall have all the Powers and Authorities mentioned in 12 *Car.* 2. *cap.* 25. to grant licences to ſell Wines by retail, with all the profits thereof, and that moiety of the forfeitures, which by the ſaid Act is given to the King: And ſuch perſons as he or his heirs Males ſhall appoint, may under ſuch Seal as he or his heirs Males ſhall appoint, grant ſuch licence for any time not exceeding 21 years, if the Grantees ſhall ſo long live, at ſuch Rents, and under ſuch Conditions as they think fit; but ſhall take no Fines. For which Rent the Duke and his heirs Males may ſue by Bill, Plaint or Action of Debt in his own name in any Court of Record, or in the Kings name in the Exchequer; Rents and Arrears, reſerved upon leaſes already made ſhall be paid to the Duke and his heirs Males.

XXXII. The Privileges of the Company of Vintners *London* ſaved, and of the Mayor and Burgeſſes of St. *Albans*, and of the Univerſities.

XXXIII. **Stat.** 22 & 23 *Car.*2. *cap.* 6. The Revenue of Wine-licences, with all the profits thereof, and powers of granting licences for retailing Wines ſhall be veſted in the King, his Heirs and Succeſſors. And in ſatisfaction thereof the Kings Letters Patents, whereby there ſhall be granted to the Duke of *York*, and the heirs Males of his body, the yearly ſum of 24000 *l.* out of the Kings Revenue of Exciſe of Beer and Ale, &c. ariſing out of the Counties of *Buckingham*, *Eſſex*, *Kent*, *Norfolk*, *Suffolk*, *Berks*, *Bedfordſhire*, *Cambridgeſhire*, *Yorkſhire*, *Hertfordſhire* and *Somerſetſhire*, ſhall be good in Law, *vide plura* in the Stat. at large.

XXXIV. **Stat.** 1 *Jac.*2. *cap.*12. The King ſhall from henceforth ſtand and be ſeiſed of and in the ſaid yearly Rent or ſum of 24000 *l. mentioned in the Act next before going*, of one entire and Indefeaſible Eſtate in Fee-ſimple; the ſaid Act of Parliament notwithſtanding.

Witneſs.

I. **Stat.** 12 *E.* 2. 2. When a Deed or other writing is denyed in Court, wherein Witneſſes are named, Proceſs ſhall be awarded to cauſe them to appear; and if they come not at the great Diſtreſs returned, or the return be, that they have nothing, or that they cannot be found, yet the Enqueſt ſhall proceed: But if the Witneſſes appear at the great Diſtreſs, and the Enqueſt for ſome cauſe remain untaken, the Witneſſes ſhall have like day given as is aſſigned for the taking of the Enqueſt; when if they appear not, the Iſſues firſt returned upon them ſhall be forfeit; and the taking of the Enqueſt ſhall not be deferred becauſe of their abſence, neither yet for the abſence of Witneſſes dwelling in a Franchiſe where the Kings Writ runs not.

II. Stat. 5 *El.* 9. *pars inde.* None ſerved with proceſs out of a Court of Record to teſtifie as a Witneſs (being tendred convenient charges, and having no reaſonable let) ſhall therein make default, on pain to forfeit to the party grieved 10 *l.* and beſides to yield him ſuch farther recompence as the Judge of the ſame Court ſhall think fit, according to the damage ſuſtained; which ſaid ſums ſhall be by him recovered in any Court of Record by Action of debt, in which no wager, eſſoin &c. ſhall be allowed.

☞ Wood.

* I. Stat. 35 *H.* 8. 17. In every ſeveral Wood, called Copice or Under-wood, which ſhall be felled at 24 years growth or under, there ſhall be left unfelled for every Acre thereof 12 Standils of Oak; and in caſe there ſhall not be ſo many Oaks, that number ſhall be made up of Elm, Aſh, Aſp, or Beech; which Standils or Storers ſhall not be cut down until they ſhall bear ten inches ſquare within three foot of the ground; on pain that every Owner of ſuch Woods ſhall forfeit for every Standil not ſo left 3 *s.* 6 *d.* and alſo for every ſuch Standil ſo lett and afterwards cut down, as much: Both which forfeitures ſhall be divided betwixt the King and the Proſecutor.

II. Underwoods felled at 14 years growth or under, ſhall during four years next after the 20*th* of *April* after their felling, be preſerved from deſtruction of Cattel; on pain that the Owner thereof ſhall forfeit for every rood thereof unfenced, for every month 3 *s.* 4 *d.* And Under-woods above 14 years growth, and under 24, being ſo felled, ſhall, during 6 years next after the 20*th* of *April* after ſuch felling, be ſo preſerved as aforeſaid, upon the like pain.

III. None ſhall convert into Paſture or Tillage any ſuch Under-wood or Copice, containing two Acres or above, and being two furlongs diſtant from the houſe of the Owner thereof, or from the houſe from whence ſuch Wood doth appertain; on pain to forfeit 40 *s.* for every Acre ſo converted.

IV. The Owner of Copices above twenty four years growth ſhall, at the felling thereof, leave 12 ſuch Standils of Oak, or otherwiſe of Elm, Aſh, Beech or Aſp, as aforeſaid, on pain to forfeit 6 *s.* 8 *d.* for every Standil not ſo left; and ſhall not cut them down before they be of two years growth, on pain of 6 *s.* 8 *d.* for every one ſo cut down; and farther, ſhall preſerve ſuch Under-wood ſeven years after their felling from the deſtruction of Cattel by fencing; on pain to forfeit for every Rood thereof unfenced; for every month 3 *s.* 4 *d.*

V. Howbeit, the Owner of ſuch Under-woods may ſell ſuch Standils aforeſaid for his own uſe, for buildings, repairing, incloſing, and maintaining of Houſes, Orchards, or Gardens, or for pailing, or

or railing, or incloſing of Parks, Foreſts, Chaſes or other Grounds, or for making or repairing of Water-works, Dams, Bridges, Floodgates, or other veſſels, notwithſtanding this Act.

VI. Where there is ſuch a Wood or Copice wherein others have common, the Lord (Owner of the ſoil) ſhall not fell or cut down the ſame, (except to his own uſe) before he and the Commoners ſhall agree in the ſetting out a fourth part thereof to be ſeverally incloſed for the Lords uſe: And in caſe they cannot agree thereupon, two Juſtices of Peace, appointed by the more part of the Juſtices in Seſſions, ſhall have power to call together twelve of the Commoners and Inhabitants there, and, with the Lords and their conſent, to ſet out the fourth part thereof, to be ſeverally incloſed by the ſaid Lord within one month after, and then to be felled at his pleaſure; and alſo to be ſubject to the aforeſaid Laws of other Copices, upon ſuch penalties as aforeſaid. Only, if any Beaſt be ſuffered to come into ſuch fourth part within ſeven years after they are felled, the Owner of ſuch Cattel ſhall forfeit for every ſuch Beaſt 4 *s.* And if the Owner of ſuch Wood or Copice cut down any trees or underwoods there contrary to the form aforeſaid, he ſhall forfeit for every tree ſo cut down 6 *s.* 8 *d.*

VII. The ſaid forfeitures are to be converted in any Court of Record, and to be divided betwixt the King and the Proſecutor.

VIII. Here, during the ſoid 7 years next after felling of ſuch fourth part, the Commoners ſhall be excluded for commoning therein, ſo alſo ſhall the Lord be debarred to common in the reſidue. But after the ſaid 7 years expired, both the Lord and the Commoners may intercommon in the whole, as they did before the diviſion.

IX. Provided, that every one may fell and incloſe all ſuch his Copices or Under-woods in waſte grounds as before this time have uſed to be incloſed, and preſerved for the maintenance of Wood and Under-wood, notwithſtanding this Act.

X. The Commoners alſo (in caſe the ſaid Lord do not fell his fourth part within four months after ſuch diviſion) may common in the ſaid part until it be felled.

XI. This Act ſhall not extend to Under-woods in the Wild of *Kent*, *Surrey* and *Suſſex*, ſave only to the common Woods there.

XII. Neither ſhall it extend to any Timber-trees growing within two miles of the Sea in *Cornwal*, dead at the top, or taken by the Kings Commiſſion: Neither ſhall any Offender be puniſhable by this Act, unleſs he be proſecuted within one year after the offence committed.

XIII. None ſhall break or deſtroy any fence or hedge made for the ſaving of any ſuch Woods or Underwoods, in pain of 10 *s.* Neither ſhall any ſuffer his Swine (of the age of 10 Weeks or above) to go or run in any ſuch Grounds or Woods unringed or unpegged, on pain to forfeit for them 4 *d.* a piece. Which ſaid forfeitures (in the Kings Woods) ſhall be divided betwixt the King and the finder;

but (in other Woods) betwixt the Owner of the Field and the Profecutor.

XIV. Under-woods in a Park ſhall be preſerved by fencing only 4 years after the felling thereof.

XV. If ſuch Woods happen to be deſtroyed by the means of a Stranger, and not by the owner himſelf or by his neglect, the Stranger ſhall be ſubject to the penalties of this Act, and not the Owner.

XVI. Yearling Colts or Calves may be put into ſuch Woods, within two years after the felling thereof.

XVII. **Stat.** 1 *El.* 15. None ſhall convert or imploy to Coal or other Fewel, for the making of Iron, any Timber-tree or trees of Oak, Beech or Aſh, of the breadth of a foot ſquare at the Stub, and growing within 14 miles of the Sea, or of any part of *Thames, Severn, Wye, Humber, Dee, Tine, Tees, Trent*, or other Navigable River, in pain to forfeit 40 *s.* for every Tree ſo converted, to be divided betwixt the King and the Proſecutor.

XVIII. This Act ſhall not extend to *Suſſex*, the Wilds of *Kent*, or to the Pariſhes of *Charlewood, Newdigate* or *Leigh*, in the Wilde of *Surrey*.

XIX. **Stat.** 13 *El.* 25. All Woods or Copices intended by the Stat. of 35 *H.* 8. 17. to be incloſed, and the ſprings thereof preſerved, ſhall be ſo ſaved by the ſpace of two years more than in the ſeveral clauſes of the ſaid Act is ſeverally limited, according to the age of ſuch Woods felled, upon ſuch pains as in the ſaid Acts are contained: And none ſhall put any Cattel into any ſuch Copice-woods from the time of the fall until the end of 5 years; nor from the end of 5 years, any Cattel but Calves and yearling Colts only, until the end of ſix years, if the Wood was under 14 years growth at the laſt fall, or until the end of 8 years, if it was above 14 years growth. And this Addition ſhall continue as long in force as the ſaid Statute of 35 *H.* 8, 17.

XX. **Stat.** 23 *El.* 5. None ſhall convert into Coal or other Fewel, for the making of Iron or Iron metal, any Wood or Under-wood growing within the compaſs of 22 miles of *London* or the Suburbs thereof, or of the River of *Thames* from *Dorcheſter in Com. Oxon.* downwards, or within four miles of the foot of the *Downs*, betwixt *Arundel* and *Pemſey in Com. Suſſex*, or of *Winchelſey*, or *Rye*, or within two miles of *Pemſey*, or 3 miles of *Haſtings*; in pain to forfeit for every load ſo converted 40 *s.* to be divided betwixt the Queen and the Proſecutor.

XXI. This Act ſhall not extend to any Woods growing in any ſuch part of the Wilds of *Surrey, Suſſex*, or *Kent*, within 22 miles of *London* or *Thames*, as is diſtant above eighteen miles from *London* or *Thames*.

XXII. No

XXII. No new Iron works ſhall be erected within 22 miles of *London*, 14 miles of *Thames*, or four miles of the ſaid *Downs*, *Pemſey*, *Winchelſey*, *Haſtings*, or *Rye*, in pain of 100 *l.* to be employed as aforeſaid.

XXIII. This Act ſhall not extend to the Woods of *Chriſtopher Darrel* Gentleman in *Newdigate*, in the Wild of *Surry*.

XXIV. **Stat.** 27 *El.* 19. None ſhall make or ſet up within the Counties of *Suſſex*, *Surry* or *Kent*, any Iron-Mill, Furnace, Finary or Blomary, for the making of Iron or Iron-metal, other than upon ſome old Bays or Pens, whereupon ſuch works have been lately ſtanding, or elſe upon ſuch land where ſuch works may be continually furniſhed with ſufficient ſupply of the parties own Woods, growing upon his own ſoil, being his in Fee-ſimple, Fee-tail, or for life, without impeachment of waſte; nor ſhall convert to Coal or other Fewel, for the making of ſuch Iron or Iron-metal, any ſound Timber-tree of Oak, Aſh or Elm, which ſhall bear a foot ſquare at the ſtub, or any part thereof; on pain to forfeit for every ſuch new work ſet up 300 *l.* and for every Timber-tree ſo converted 40 *s.* to be divided betwixt the King and the Proſecutor.

XXV. Howbeit, the lops and offal of ſuch Timber-trees may be converted to Coal for the purpoſes aforeſaid within the Wilds of *Suſſex*, *Surry* and *Kent*; ſo as it be not within 18 miles of *London*, 8 miles of *Thames*, 4 miles of *Rye* or *Winchelſey*, 3 miles of *Haſtings*, or four miles of the foot of the *Downs*, betwixt *Arundel* and *Pemſey* aforeſaid.

XXVI. **Stat.** 15 *Car.* 2. *cap.* 2. Conſtables, Headboroughs and other inhabitants in any County, City, or Town Corporate, &c. may apprehend whom they ſuſpect having or conveying any Wood, Under-wood, poles, or young Trees, Bark or Baſt of Trees, or any gates, ſtiles, poſts, pales, rails, hedgewood, broom or furze; and by Warrant from a Juſtice of Peace or any Officer, ſuch Officer may ſearch the houſes and other places belonging to thoſe they ſuſpect, and where they find any, may carry perſons ſuſpected for cutting and taking the ſame, before a Juſtice of Peace of the County, City or Town-corporate, where if they give not ſuch account how they came by them as doth ſatisfie the ſaid Juſtice, or his convenient time to be ſet by the Juſtice, produce not the party of whom they bought the ſame, or ſome witneſs to depoſe upon Oath ſuch ſale, ſhall be deemed as convicted within the meaning of 43 *Eliz. cap.* 7. and be liable to the puniſhment therein contained, and ſuch other puniſhment as by this Act is appointed, *viz.* for the firſt offence they ſhall make ſuch recompence and within ſuch time as the ſaid Juſtice ſhall appoint; and pay to the Overſeers for the Poor of the Pariſh where the offence was committed, ſuch ſum, not exceeding 10 *s.* as the aforeſaid Juſtice ſhall think meet: and in default thereof be committed to the Houſe of Correction, for any time not exceeding a month, or be whipped; and for the ſaid offence ſhall be ſent

to the Houſe of Correction a month, and be kept to hard labour: and if convicted of a third offence, they ſhall be deemed incorrigible Rogues.

XXVII. If any Juſtice of Peace, Mayor, Bailiff, or Head Officer, find upon examination upon Oath, that any perſon bought ſuch wood, &c. of one who might juſtly be ſuſpected to have unlawfully come by the ſame, and that the ſame was unlawfully come by, they may award the party that bought the ſame to pay the treble value to him for whom the ſame was unlawfully taken. And in default of preſent payment, may levy the ſame by diſtreſs and ſale of Goods, and for want of ſuch Diſtreſs may commit to Goal at the parties own charge, for a month.

XXVIII. None ſhall be queſtioned upon this Law that hath been puniſhed for the ſame offence by any former Law, nor after 6 weeks after the offence committed.

Vide the *Stat.* of 43 *Eliz. cap.* 7. to which this Act refers, *tit.* Treſpaſs. *Sect. VII.*

XXIX. **Stat.** 20 *Car. 2. cap.* 3. An Act for the increaſe and preſervation of Timber within the Foreſt of *Dean*. Vide *the Stat. at large.*

☞ Wools.

I. **Stat.** 18 *E.* 3. *Stat.* 2. 3. Every man (as well ſtranger as other) may buy Wools as they can agree with the ſeller thereof.

II. **Statutum Stapul.** *cap.* 12. None ſhall tranſport Wools, Leather, or Wool-fels, to *Berwick*, or elſewhere into *Scotland*; neither ſhall any ſell Wool, Wool-fels or Leather, to any *Scotch-man*, or to any other to be tranſported into *Scotland*; upon the pains contained in the third Article of this Statute: *which ſee in* Merchants.

* III. **Stat.** 31 *E.* 3. 2. No Wools ſhall be bought by fraud to abate the price thereof, upon grievous forfeiture; alſo balances and weights for Wools (*viz.* of the ſack, half-ſack, and quarter; pound, half-pound, and quarter) ſhall be ſent to all the Sheriffs of *England*, according to which every perſon ſhall make theirs without Fee or Reward; and none ſhall buy or ſell by any other weight, on pain to be fined at the Kings will.

IV. **Stat.** 31 *E.* 3. 8. No buyer of Wools ſhall make any other refuſe of Wools than hath been heretofore uſed, *viz.* of Cot, Gare, and Villain fleeces; and every ſack ſhall contain 16 ſtone, and the ſtone 14 pound, according to the Standard of the Exchequer. Alſo all Wools, Fels, and Leather bought in the Country, ſhall be brought to the Staples, and there ſhall remain 15 days at leaſt; and thoſe that cannot be ſold in that time, ſhall be brought to the Ports ordained for the Staple, to be tranſported beyond Sea, paying the

due

due Cuſtoms and Subſidies, *viz.* for a ſack of Wool 50 *s.* for 300 Wool fels 50 *s.* and for a laſt of Leather 100 *s.*

V. No Wools vendible ſhall be lodged, ſhewed or ſold within three miles of the Staple: Howbeit, every one (but a Merchant) may lodge, ſhew and ſell his Wools (being of his own growing) in his own houſe, or elſewhere at his pleaſure.

VI. **Stat.** 31 *E.* 3. 9. The Chancellor and Treaſurer, with the advice of others of the Kings Council, ſhall have power to defer the tranſportation of Wools when they ſee it needful.

VII. **Stat.** 34 *E.* 3. 19. No Cuſtom or Subſidy ſhall be paid for Canvas to pack wool in.

VIII. **Stat.** 36 *E.* 3. 11. All Merchants may tranſport Wools without reſtraint; and no Subſidy or other charge ſhall be from henceforth ſet or granted upon Wools by Merchants or others, without aſſent in Parliament.

IX. **Stat.** 38 *E.* 3. *Stat.* 1. 6. A Repeal of the Felony impoſed by the Stat. of the Staple, *cap.* 3. 27 *E.* 3. (*which ſee in* Merchants) for tranſporting of Wools, &c. by *Engliſh men*; but the forfeitures of Lands and Goods ſhall ſtand.

X. **Stat.** 43 *E.* 3. 1. Whereas the Staple of Wools, &c. hath been holden at *Calice* ſince the firſt of *March Anno* 37 *E.* 3. that Staple ſhall be wholly put out, and the Staple ſhall be holden in theſe places following, *viz.* at *Newcaſtle*, *Kingſton* upon *Hull*, *Saint Botolph* (*alias Boſton*,) *Yarmouth*, *Quinborough*, *Weſtminſter*, *Chicheſter*, *Wincheſter*, *Exeter* and *Briſtol*; and the Staples of *Ireland* and *Wales* ſhall be kept at the places where they were firſt ordained. *Obſolete.*

XI. **Stat.** 45 *E.* 3. 4. No impoſition or charge ſhall be put upon Wools, Wool-fels, or Leather, (other than the Cuſtom and Subſidy granted to the King,) without aſſent of Parliament.

XII. **Stat.** 13 *R.* 3. 9. *pars inde.* None ſhall buy or ſell Wool at more weight than at 14 pounds to the ſtone, on pain to forfeit the double to the party grieved, and to make fine to the King.

XIII. None (Alien or Denizen) ſhall make any other refuſe of Wool, but Cot, Gare, or Villain.

XIV. None ſhall buy Wool by theſe words, *Good packing*, or the like, on pain that the Broker ſhall ſuffer half a years impriſonment, and the buyer ſhall make fine to the King, and recompence the party grieved his double damages; neither ſhall any cauſe Wools to be cocqueted but in the Owners name, on pain to forfeit the ſame.

XV. **Stat.** 2 *H.* 5. *Stat.* 2. 6. Merchandize of the Staple, *viz.* Wools, Fels, Leather, Lead or Tin, ſhall not be tranſported beyond Sea without the Kings licence, untill they be firſt brought to the Staple, on pain to forfeit the ſame. *Obſolete.*

XVI. **Stat.** 8 *H.* 5. 2. Every Merchant-ſtranger buying Wools in *England* to convey them to the Weſt parts or elſewhere, and not coming to the Staple to ſell them there, ſhall bring to the Maſter of the

the Mint for every ſack an ounce of Gold bullion, and for every three pieces of Tin another ſuch ounce of Bullion, or the value in Silver bullion; on pain to forfeit ſuch Wood and Tin, or the value thereof, to the King. *Obſolete.*

XVII. **Stat.** 8 *H.*6. 22. No Alien ſhall cauſe any Wools (which he intends to convey out of the Realm) to be forced, clacked, or bearded; in pain to forfeit the ſame, together with the double value thereof, and beſides to be impriſoned.

XVIII. Every Wool-packer ſhall make good and due packing, and neither he nor any other ſhall make any inwinding within the fleece at the roling thereof, nor put therein any locks, pelt-wool, tar, ſand, earth, glaſs, or dirt; on pain that the party grieved ſhall have his Action of Treſpaſs and Deceit againſt ſuch Offender at the Common Law.

XIX. **Stat.** 14 *H.*6. 5. Wools and all other Merchandize in Creeks to be tranſported beyond Sea ſhall be forfeited, whereof the King ſhall have one moiety, and the finder the other. *Obſolete.*

* XX. **Stat** 23 *H.* 8. 17. None ſhall wind any fleece of Wool not ſufficiently rivered or waſhed, nor wind therein any clay, lead, ſtones, ſand, tails, deceitful locks, cot, calls, comber, lambs-wool, or any other thing', whereby the fleece may be more weighty, to the deceit of the buyer; in pain that the ſeller of any ſuch deceitful Wool ſhall forfeit for every ſuch fleece 6 *d.* to be divided betwixt the King and the finder.

XXI. This Act ſhall not extend to ſuch Counties where the Inhabitants have not cuſtomably uſed to river or waſh their ſheep before they be ſhorn, nor to any perſons who have uſed to ſell their Wool by tale or number of the Fleeces, and not by weight.

XXII. **Stat.** 37 *H.*8. 15. All perſons are reſtrained to buy Wools in *Norfolk*, and divers other Counties there mentioned, except Merchants, to convey them to the Staple, or others to convert them into Yarn, Hats, Girdles, or Cloth. *But this Statute is now expired.*

XXIII. **Stat.** 1 *E.* 6. 6. Every perſon dwelling in *Norfolk*, or *Norwich* may buy Wools of *Norfolk* growth, as well as they might have done before the Statute of 37 *H* 8. 15. ſo as they ſell or retail the ſame again, in ſome open Market or place in *Norfolk* or *Norwich*, to ſome perſon or perſons (dwelling alſo there) that will there ſpin the ſame.

XXIV. **Stat.** 2 *&* 3 *P. M.* 13. Any Inhabitants of *Halifax* may buy Wools, (otherwiſe than by ingroſſing and foreſtalling,) ſo as they carry the ſame to *Halifax*, and there ſell them to ſuch poor people of that or other Pariſhes adjoyning, (as to their knowledge) ſhall work them in Cloth or Yarn; and not to the rich Cloathier nor any other to ſell again.

XXV. If the Wool-driver ſhall ſell his Wools out of *Halifax*, or if any buy Wools in *Halifax*, to ſell the ſame unwrought in Yarn or Cloth, every ſuch offender ſhall forfeit the double value of the

Wool

Wood ſo ſold or uttered, whereof the King and Queen is to have the one moiety, and the Proſecutor the other. And Juſtices of Peace in Seſſions have power to hear and determine theſe offences.

XXVI. Stat. 12 *Car.2.cap.*32. None ſhall export or load on any Carriage, or lay on board any Veſſel to export out of *England*, *Wales*, Town of *Berwick*, *Jerſey*, *Gernſey*, *Sarke* and *Alderney*, or *Ireland*, into any places out of the places aforeſaid, any Sheep, Wool of the growth of the ſaid places, Wool-fels, Morlings, or Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth, or Fullers-clay, on pain to forfeit the ſame, and 20 *s.* for every Sheep, and 3 *s.* for every pound weight of the other Goods. And the Owners of ſuch Ships knowing ſuch Offence, to forfeit all their intereſt in the ſaid Ships, and Maſters and Mariners aſſiſting thereto, all their Goods, and to have impriſonment for 3 months. The one moiety of which forfeitures to the King, the other to the Informer ſuing in any Court of Record, or before the Juſtices of Aſſize, or General Quarter-Seſſions.

XXVII. They that ſhall tranſport or cauſe to be tranſported any of the Goods aforeſaid, and be thereof convicted, ſhall be diſabled to require any debt belonging to them.

XXVIII. Offences againſt this Act may be determined in the County where committed, or where ſuch Offenders are apprehended.

XXIX. The Offenders ſhall not be impeached, unleſs within a year after the offence committed.

XXX. Any may ſeize to their own uſe and the Kings any of the goods aforeſaid laid on Board, or packed or loaded on any carriage, or laid near any water to be conveyed into *Scotland*, but ſuch perſons ſhall not give evidence againſt any that ſhall be queſtioned by virtue of this Act.

XXXI. All Veſſels whereof any Alien or natural born Subject not inhabiting in *England*, ſhall be Owner or part-owner, wherein any of the Goods aforeſaid ſhall be ſhipped contrary to this Act, ſhall be forfeit to the King.

XXXII. Lambskins ready dreſſed are excepted, and neceſſaries for the Ships and perſons therein.

XXXIII. None of the goods aforeſaid ſhall be tranſported out of *England*, *Wales*, Town of *Berwick*, or *Ireland*, into *Jerſey*, *Gernſey*, *Sarke*, or *Alderney*, only Wool from the Port of *Southampton*, for the uſe of the Inhabitants of thoſe Iſles, and they that Ship ſuch Wool ſhall beforehand deliver to the Cuſtomer, Controller, Surveyor, or Searcher of the ſaid Port, a writing under the Seal of the reſpective Governours of the ſaid Iſles, or their Deputies, purporting that ſuch party is authoriz'd to export ſo many number of Tods, and hath entred into ſufficient Bond to his Majeſties uſe for landing them in that Iſle. The Wool ſo exported not to exceed theſe quantities, *viz.* unto *Jerſey* 2000 Tods of unkeamed-wool, to *Gernſey* 1000, to *Alderney* 200, to *Sarke* 100.

XXXIV. The

XXXIV. The Cuſtomer of the Port of *Southampton*, ſhall keep an accout of the Wools ſo permitted to be loaden, on pain to forfeit 100 *l.* to him that will ſue for the ſame, and to loſe his place. And if any of the Governours aforeſaid, or their Deputies make licence to export more, they ſhall forfeit 20 *l.* for every Tod licenſed above the proportions aforeſaid.

XXXV. No more than 12 *d.* ſhall be taken for writing ſuch licence and entring a remembrance of it, on pain of 5 *s.* for every peny taken over, to the party grieved. *Confirmed*, 13 *Car.* 2. *cap.* 14.

XXXVI. **Stat.** 13 & 14 *Car.* 2. *cap.* 18. If any perſons export out of *England*, *Wales*, or Town of *Berwick* or *Ireland*, any Sheep or Wool of the growth of the ſaid places, or any Wool-fels, Morlings, Shorlings, Yarn made of Wool, Wool flocks, Fullers-eath, or Fulling-clay, or ſhall pack or load upon any carriage, or lay on board in any veſſel any ſuch ſheep, wool, &c. to export the ſame, every ſuch offence ſhall be judged Felony.

XXXVII. Owners of ſuch Veſſels and of Horſes, Carts or Carriages, upon which the ſheep or other the Goods aforeſaid ſhall be exported, or carried to ſuch intent, knowing thereof, and conſenting thereunto, and alſo Maſters and Mariners of ſuch Veſſels, wherein any ſheep or other the ſaid Goods ſhall be ſo exported or laid on Board to any ſuch intent, and all other perſons whatſoever, knowing thereof and conſenting thereto, ſhall be adjudged Felons.

XXXVIII. Offences againſt this Act ſhall be tried and determined in the County where ſuch ſheep and other the ſaid Goods ſhall be ſo packed or laid on Board, or where ſuch Offender ſhall be apprehended.

XXXIX. Peers of the Realm Indicted for any Offence made Felony by this Act ſhall be tried by their Peers.

XL. None ſhall be impeached for any Offence made Felony by this Act, unleſs within a year after ſuch offence committed.

XLI. None ſhall preſs together with any Skrues, Preſſes or other Engines, into any ſack, bag, &c. nor ſhall put, or preſs any Wool or Yarn made of Wool into any cask or veſſel, nor ſhall lay or cauſe to be laid near the ſhoar or coaſts of the Seas, or any Navigable River, or into any houſe or place adjoyning thereunto any ſuch wool, wool-flocks, or yarn made of wool, to export the ſame, on pain to forfeit it, or the value.

XLII. No Tobacco-pipe clay ſhall be exported out of *England*, Town of *Berwick*, *Ireland* or *Wales*, under the penalty of 3 *s.* for every pound exported contrary to this Act.

XLIII. No Packs, Bags or Casks of Wool, Wool-fels, Morlings, Shorlings, Yarn made of Wool, Wool-flocks, Fullers-earth, Fulling-clay, or Tobacco-pipe-clay ſhall be laid on any horſe, cart or other carriage, or conveyed to or from any place in *England*, Town of *Berwick*, *Wales* or *Ireland*, but at ſeaſonable hours, *viz.* from the 1ſt of *March* to the 29*th* of *September* yearly, between the hours of

4 in

4 in the morning, and 8 in the evening, and from the 29*th* day of *September*, to the 1*ſt* of *March* yearly, between 7 in the morning and 5 in the evening, on pain to loſe all ſuch Goods or the value thereof; the one moiety of all which forfeitures mentioned in this Act to be to the uſe of the King, the other moiety to the Proſecutor.

XLIV. Thir Act ſhall not make void any Penalties or Clauſes in the Stat. of 12 *Car. cap.* 32.

XLV. Owners of any Veſſel, or any Maſter or Mariners knowing of ſuch tranſportation, that within three months after ſuch knowledge or after their return into *England*, or *Ireland*, Town of *Berwick* or *Wales*, ſhall give the firſt information thereof before any of the Barons of the Exchequer of *England* or *Ireland*, or the Head Officer of any Port, where they ſhall firſt arrive, upon Oath of the number and quantity of the Goods ſo tranſported and by whom, where, and in what Veſſel, and afterwards ſhall be ready to prove the ſame, ſhall not be puniſhed for Felony, but ſhall be ſubject to all other penalties in this Act contained. And all ſuch tranſportation or conveying of the Goods aforeſaid, is declared to be a common nuſance.

XLVI. Juſtices of Aſſize, Juſtices of Gaol delivery, and Juſtices of the Peace in their General Quarter Seſſions, may determine the Premiſſes. And all Mayors and other Head Officers of Cities, Boroughs and Towns not having Juriſdiction to try Felony, ſhall enquire of every offence within this Act not made Felony.

XLVII. **Stat.** 13 & 14 *Car.* 2. *cap.* 19. An Act againſt importing forein Wool-cards, Card wire, &c. *tit.* Merchants and Merchandize, *Sect. XCIV.*

Women, Widows, Wives and Maids.

I. **Magna Charta**, 7. 9 *H.* 3. A Widow immediately after her Husbands death ſhall have her marriage and inheritance, and ſhall give nothing for her Dower, marriage, or inheritance which her Husband and ſhe held at the day of his death.

II. Alſo ſhe ſhall remain in the chief houſe of her husband forty days after his death, if the houſe be not a Caſtle; within which 40 days her Dower ſhall be aſſigned her, if it were not aſſigned her before.

III. If the houſe be a Caſtle, and ſhe depart from thence, then ſhall a convenient houſe be forthwith provided for her, where ſhe may conveniently dwell until her Dower be aſſigned, and in the mean time ſhe ſhall have reaſonable Eſtovers of the Common: And for her Dower ſhall be aſſigned unto her the third part of all the land which was her husbands in his life time, unleſs ſhe were before endowed of leſs at the Church door.

IV. No

IV. No widow ſhall be conſtrained to marry her ſelf, while ſhe will live without a husband: Howbeit, ſhe ſhall find ſurety that ſhe ſhall not marry without the Kings licence and aſſent, if ſhe hold of the King, nor without the aſſent of the Lord, in caſe ſhe hold of another.

V. **Prerog. Regis**, 4. 17 *E.* 2. The King ſhall aſſign Dower to the Widows of his Tenants in chief, albeit the heir be at age, (if the Widows will:) and ſuch Widows before the aſſignment of their Dower ſhall ſwear, that they will not marry themſelves without the Kings licence, whether the heirs be of full age or not.

VI. If they marry without licence, the King ſhall ſeize (by way of diſtreſs) the land they held of him in Dower, until he be ſatisfied at his own will, ſo that they ſhall take nothing of the iſſues thereof: For by ſuch diſtreſſes they and their husbands muſt fine at his will, which in the time of *H.* 3. was eſtimated one years value of her Dower.

VII. Women that hold any inheritance of the King in chief (of what age ſoever they be) ſhall likewiſe ſwear not to marry without the Kings licence: And if they do, their lands ſhall be ſeiſed as aforeſaid, until the King be ſatisfied at his will.

VIII. **Stat.** 31 *H.* 6. 9. Where any perſon or perſons take Women by force, or otherwiſe (by perſwaſion) get them into their poſſeſſion, and when they ſo have them, will not ſuffer him to go at large, until they have bound themſelves by Obligations of Statute-Merchant in great ſums of money to them or others to their uſe, and many times compel them to be married againſt their likings, and levy ſuch ſums upon their Lands: In theſe caſes, the Obligor ſhall have a Writ out of the Chancery, containing the matter of ſuch evil uſage, directed to the Sheriff of the County where ſuch offence is committed, to make Proclamation in full County, and alſo in the next County Court after the receit of the Writ, that the Offender ſhall appear at a certain day prefixed in a Writ before the Lord Chancellor, or otherwiſe before the Juſtices of the Aſſize in the County where the offence is done, or elſe before ſome other perſon thereunto aſſigned by the Lord Chancellor; at which day if the Offender appear, the ſaid Chancellor, Juſtices, or other perſon, ſhall duly examine the parties upon the premiſſes: and if it be found that the Obligations were ſo made, they ſhall be void; but otherwiſe, they ſhall ſtand in force. Alſo if the Offender appear not, they ſhall likewiſe be void, as alſo all the proceedings thereupon.

IX. Here, if the Sheriff be remiſs in the execution of ſuch a Writ, he ſhall forfeit 300 *l.* to be divided betwixt the King and the party that purchaſed the ſame Writ.

X. **Stat.** 4 & 5 *P. M.* 8. None ſhall take or convey, or cauſe to be taken or conveyed away any Maid, or Woman child unmarried, being within the age of 16 years, out of the cuſtody and againſt the will of the Father or Mother of ſuch Child, or of the perſon

perſon to whom the Father of ſuch Child (by his laſt Will or other act in his life time) hath appointed the governance of ſuch Child, (except ſuch taking ſhall be by or for ſuch perſon as (without fraud) is Maſter or Miſtreſs of ſuch Child, or her Guardian in Socage or Chivalry,) on pain of two years impriſonment without bail, or elſe to pay ſuch fine as ſhall be aſſeſſed by the Queens Council in the Star-Chamber.

XI. None ſhall take away and deflower any ſuch Child, or, againſt the will of her Father, if he be living, or of her Mother, (having the cuſtody of her if the Father be dead,) contract Matrimony with any ſuch Child, (except by the title of Wardſhip) on pain to ſuffer five years impriſonment, or elſe to pay ſuch Fine as ſhall be aſſeſſed by the ſaid Council in the Star-Chamber.

XII. The ſaid fines ſhall be divided between the King and the Queens Majeſties, and the party grieved.

XIII. The ſaid Council of the Star-Chamber and Juſtices of Aſſize have power to hear and determine theſe offences.

XIV. If any ſuch Child, above the age of 12 years, and under the age of 16 years, do conſent to any ſuch contract of Matrimony, the next of the Kin, to whom her Inheritance ſhould come, ſhall enjoy it during her life: but after her deceaſe it ſhall revert to the Inheriter, other than to him that did ſo contract Matrimony.

XV. Provided, that this Act ſhall not be prejudicial to any Cuſtom or Authority concerning Orphans in *London*, or any other City, Borough or Town.

Worſteds.

I. **Stat.** 17 *R.* 2. 3. Merchants and Workers of Cloaths, called ſingle Worſteds, may tranſport Bolts thereof whither they pleaſe, (except to the Kings Enemies) paying the Cuſtoms and Subſidies due for the ſame, without paying the Cuſtoms of *Calais*; ſo as under colour thereof they tranſport no double Worſteds, half-double Worſteds, Worſteds ray or motley, on pain to forfeit the ſame.

* II. **Stat.** 7 *E.* 4. 1. The Worſted-weavers in *Norwich* ſhall yearly upon Monday after *Pentecoſt*, chuſe four of the ſame Craft to be their Wardens for that City; and likewiſe thoſe of the County of *Norfolk*, ſhall then alſo chuſe four of the ſame Craft there to be their Wardens for the ſaid County; which Wardens ſhall take their Oaths before the Mayor of *Norwich*, and the Steward of the Dutchy of *Lancaſter*, if the Steward be then reſident in the ſaid County; otherwiſe before the Mayor alone.

III. The ſaid Wardens have power, for the year next enſuing, to ſurvey the Workmanſhip of the Artificers of that Craft, whether or no they work well, and make their work of good ſtuff, and likewiſe to make Ordinances for the amendment of the ſaid Worſteds and Craft:

Craft: All which Ordinances ſhall be obeyed and kept by the ſaid Artificers, on pain to be puniſhed by four of the ſaid Wardens either in City or Country reſpectively, (calling to them ſix other Artificers) at the diſcretion of the ſaid Mayor and Steward, or one of them.

IV. Alſo the lengths and breadths of Pieces of Worſted are here ſet down: *For which ſee the Statute at large.*

V. No Lambs-wool ſhall be put in Worſted: And the ſaid Wardens have power to ſeize all ſuch Cloaths, and Stuffs being defective.

VI. The Mayor and Steward aforeſaid have power to hear and determine all offences committed againſt the ſaid Ordinances, and at convenient times to call together the 82 Artificers to be ſworn, to make ſearch of the ſtuff and work wrought and made by the ſaid Wardens; and if they be found defective, either in their Office or work, to puniſh them as other Artificers.

VII. The Wardens have alſo power to make ſuch ſearch in the Counties of *Suffolk* and *Cambridge*, as well as in *Norwich* and *Norfolk*.

VIII. Defective Worſteds ſhall be forfeit; *viz.* (in *Norwich*) the one half thereof to the Mayor there, or (in Corporations, or other places) to the chief Officers or Lord of the Manor, and the other half to the ſaid Wardens. And Worſted-weavers ſhall ſet their proper marks woven upon their ſtuffs, on pain to forfeit them to the King.

IX. The ſaid 8 Wardens ſhall yearly, upon Monday next after *Corpus Chriſti* aſſign one, two or more places in *Norwich*, and as many in *Norfolk*, and certain days by the week, to the end that the Worſteds, to be put to ſale that year may be brought before the ſaid Wardens to be ſearched. And if they find them well made, they ſhall ſet a mark thereupon without fee, that the buyer may know which are well ſearched, wrought and made of good ſtuff: But if they ſhall find them defective, the ſaid Mayor and Steward, or one of them, ſhall impoſe ſuch correction for ſuch default as to them ſhall ſeem meet. And the price of every piece of Worſted ſold not marked, ſhall be forfeited by the firſt ſeller thereof.

X. All Mayors, Bailiffs, and other Officers, ſhall be aiding and aſſiſtant to the ſaid Wardens in their ſearch, as often as they ſhall be required by the ſaid Wardens or any of them, ſo to do.

XI. Stat. 11 *H.*7.11. Citizens of *Norwich* may take to Apprentice the Son or Daughter of any perſon.

XII. Stat. 5 *H.*8.4. None ſhall dry Calender any Worſteds, on pain to forfeit for every piece 5 *l.* neither ſhall any wet Calender any Worſteds, unleſs he has ſerved 7 years as an Apprentice in that trade, and be approved by the Mayor of *Norwich*, and the two Maſters of that Craft in *Norwich* or *Norfolk*, upon the like pain of 5 *l.* for every piece calendred contrary to this Act. Which ſaid forfeitures ſhall be divided betwixt the King and the ſaid Maſters of the Craft of wet Calendring.

XIII. Stat.

XIII. Stat. 14 & 15 H.8. 5. A long Statute for Worsted-Weavers in *Yarmouth* and *Lynn*: The Election, Oath and Authority of a Warden for *Yarmouth*: Every person shall make his Worsteds, Says, &c. with his several marks: The Election, Oath and Authority of a Warden for *Lynn*: Every Worsted-weaver in *Lynn* shall be an *English* man born; and shall have his proper mark: A Warden of *Norwich* or *Norfolk* shall come to *Lynn*, when there is no Warden there, and his allowance by the day of his charge in coming thither: What names or additions the parties grieved shall use in their Actions, whereupon the particular bodies of the Wardens or Inhabitants may be put in execution: Cloaths marked by Wardens of *Lynn* or *Yarmouth* may be lawfully put to sale: What Apprentices Worsted-weavers in *Lynn* and *Yarmouth* may take. This Statute shall not be prejudicial to the Mayor of *Norwich*, or the Wardens there. None shall sheer, dye or Calender any Worsteds, Says, &c. save only in *Norwich*: Neither shall any such Stuffs be transported before they be shorn, dyed and calendred. *See the Stat. at large.*

XIV. Stat. 25 *H.*8. 5. The Statute of 5 *H.*8. 4. is made perpetual, and none that dyeth Worsteds, Stamins or Says, shall use to calender them, on pain to forfeit for every piece 40 *s.* to be divided into three parts, whereof the King is to have one, the Mayor of *Norwich* another, and the Prosecutor a third.

XV. Stat. 13 & 14 *Car.* 2. *cap.* 5. For regulating the making of *Norwich* stuffs in *Norwich* and *Norfolk*, there shall be 12 Wardens and 30 Assistants, all Master Weavers in *Norwich* and *Norfolk*, half of each shall be chosen yearly the next Monday after *Pentecost*, by the Master Weavers, or greater part of them present, of the City of *Norwich*, the other half upon the same day by the Master Weavers, or greater part present of the County of *Norfolk*, which Wardens within 14 days after notice of their Election shall take this Oath before the Mayor of the City or his Deputy, and the Under-steward of the Dutchy of *Lancaster* within the said County, if present, viz.

I A.B. *do swear, that I will well, faithfully and honestly perform and discharge the Office of a Warden of the said trade of Worsted-weavers, according to the best of my skill, power and knowledge.*

And the Assistants accordingly for the execution of their Office of an Assistant. If any Warden refuse to swear, or dye before the end of his year, the Master Weavers may chuse others.

XVI. The said Wardens and Assistants or 15 of them, whereof seven to be Wardens, may meet and consult as oft as they think fit, or when it shall be desired by 8 of the Assistants, and make Ordinances for the regulation of the said stuffs; and make Seals for sealing them (which Ordinances confirmed by the Mayor and two Justices of the Peace of the City, and three others of the County, whereof one to be of the *Quorum*, shall be published four times a year, at four Assemblies for the said trade) and may impose Fines for not conforming to such Ordinances, not exceeding 10 *s.* for one Offence.

XVII. The Wardens, &c. of the City shall give personal notice to them of the County, or two of them, when they intend to meet, &c. and set it upon the door of their Sealing Hall fourteen days before.

XVIII. Worsted yarns and other yarns used by Worsted Weavers, shall be reel'd on a reel of a yard about, every reel-staff shall contain 14 leas, every lea 40 threds, 120 reel staffs shall make a dozen, and 12 dozen a gross. They that sell or expose to sale the said yarns made or reeled otherwise, shall forfeit half the value to the use of the Trade, charges of Suit deducted.

XIX. The Wardens and Assistants, or two of them, may search in publick places of sale, and seize defective yarns and bring them within 20 days to a trial by Jury, which Jury may set Fines on the yarns, not exceeding half their value, to go to the poor of the Trade. No person shall be punished by this and the former Clause for the same offence.

XX. All Stuffs in which there is Wool in *Norwich* and *Norfolk*, shall be under the Regulation of the said Warden and Assistants, except such as are under the Regulation of the Wardens and Fellowship of the Mystery of Russel Sattens, Sattens reverses, and Fustians of *Norwich* making within *Norwich*. All Stuffs under the said Regulation before they are offered to sale shall be brought to Weavers Hall in *Norwich*, to be searched by the Wardens or two of them, and if found according to the Ordinances of the Trade, shall be sealed and allowed without paying any thing, if defective, shall be seized and tried by a Jury of 12 Artificers (6 of the City, and 6 of the County) to be impannelled by Precept under Hand and Seal of the Mayor or his Deputy, (the number, in case of failure to be made up of the Master Weavers of either place by Precept from the Mayor) who may set a Fine not exceeding the moiety of the value; the Fines to go to the use of the Trade, and the stuffs to be detained till the fines be paid: and for want of payment in 40 days after trial, to be sold, rendring the overplus upon demand.

XXI. If any Warden seal stuffs that shall afterwards be found defective by a Jury of 12 Artificers to be impannelled before the Mayor or his Deputy and the Steward of the Dutchy of *Lancaster*, if present, of which 6 to be of the City and 6 of the County; the said Jury may set Fines not exceeding 40 *s.* for every stuff, upon such Warden. And such Jury may enquire into the miscarriages of the Wardens and Assistants and punish them, as they do others: but the Wardens and Assistants shall have double damages for any unjust molestation.

XXII. None shall buy stuffs unsealed, and they in whose possession any stuffs unsealed are found, except the first owner or maker, shall forfeit for every piece 4 *s.* and the maker or seller, that shall deliver them unsealed, other 4 *s.* for the use of the poor of the Trade.

XXIII. Per

XXIII. Persons convicted by confession or Oaths of two witnesses before the Mayor or his Deputy, or any Justice of Peace of the City or County, of counterfeiting the said Seal, or sealing stuff with a counterfeit Seal, or removing the Seal from one piece to another, shall forfeit 20 *l.*

XXIV. They that use the said Trade, not having served as Apprentices 7 years, shall forfeit 40 *s.* for every month, half to the King, and half to the Prosecutor.

XXV. Every person shall forfeit 3 *s.* to the poor of the Trade for every piece by him woven without his proper mark at the head end of it.

XXVI. The Wardens and Assistants or two of them may search the houses &c. of any dealing in the said stuffs, and of Dyers, Sheermen, Callenders, or other Workmen, and seize defective stuffs, and bring them to trial as aforesaid.

XXVII. They that employ two Apprentices in the said Trade shall likewise employ two Journeymen; no Master Weaver shall set on work above two Apprentices, or any Week-boy in a Loom, on pain to forfeit 5 *l.* for every month.

XXVIII. Persons convicted by Oath of one witness before the Mayor or his Deputy, or any Justice of Peace of the City or County, of hindring the Wardens or Assistants to execute their Office shall forfeit 40 *s.*

XXIX. If any summon'd to appear on any Jury or Trial, refuse, they shall forfeit 5 *s.* to the poor of the Trade. All penalties and forfeitures appointed to the poor of this Act, the recovery whereof is not already set forth, shall be levied by distress and sale of Goods by Warrant from the Mayor or his Deputy, or any Justice of Peace of the City or County, or otherwise be recovered by action of debt, bill, plaint, indictment, or information in any Court of Record.

XXX. Every Weaver that shall set any Loom on work from 15 of *August* to 15 of *September* yearly, shall forfeit 40 *s.* for every Loom used within that time.

XXXI. The Wardens shall make a true account at the four Assemblies to be held Quarterly, before the Mayor of the City and one Justice of Peace of the City and two of the County, of all Fines and forfeitures received, and of all disbursments, touching the said Trade. What remains shall be divided, the one half to be disposed by the Wardens and Assistants of the City, the other by those of the County, for the poor of the Trade, as the Mayor and Justices shall direct.

XXXII. The Weavers of Great *Yarmouth* and *Lynn*, shall not be compelled to bring their Wares to *Norwich* to be sealed, and shall retain such Liberties and Privileges as are granted to them by any Act of Parliament or Charter.

Wreck.

I. **Weſt.** 1. 4. 3 *E.* 1. Where a man, dog or cat eſcape alive out of the Ship, neither the Ship or other Veſſel, nor any thing therein, ſhall be adjudged Wreck, but the Goods ſhall be ſaved and kept by the Sheriff, Coroners, or the Kings Bailiffs, and delivered to the Inhabitants of the Town where the Goods are found; ſo that if any within a year and a day ſue for thoſe Goods, and after prove that they were his at the time of the Shipwreck, they ſhall be reſtored to him without delay: but if not, they ſhall be ſeiſed by the ſaid Sheriff, Coroners or Bailiffs, for the Kings uſe, and ſhall be delivered to the Inhabitants of the Town, who ſhall anſwer before the Juſtices for the Wreck belonging to the King.

II. Alſo where the Wreck belongeth to another, he ſhall have it in like manner: And if any be attainted to have done otherwiſe, he ſhall ſuffer impriſonment, make fine to the King, and yield damages alſo.

III. If a Bailiff do it, and it be diſallowed by his Lord, the Bailiff ſhall anſwer for it, if he have whereof; but if not, the Lord ſhall deliver his Bailiffs body to the King.

IV. **Prerog. Reg.** 11. 17 *E.* 2. The King ſhall have Wreck of the Sea, Whales and great Sturgeons taken in the Sea, and elſewhere throughout the whole Realm, except in places priviledged by the King.

Writs, and Abatements of Writs.

I. **Weſt.** 2. 24. 13 *E.* 1. *pars inde.* Where in the Chancery in one caſe a Writ is found, and in another caſe, falling under like law, and requiring like remedy, there is found none, the Clerks of the Chancery ſhall agree in making the Writ, or the Plaintiffs may adjourn it until the next Parliament; and then the caſes being written in which they cannot agree, let them refer themſelves to the next Parliament, where (by the conſent of men learned in the Law) a Writ ſhall be framed; leſt the Kings Court ſhould fail to adminiſter Juſtice to the Complainants.

II. **Weſt.** 2. 49. 13 *E.* 1. *pars inde.* Where the Law faileth, leſt Suitors ſhould depart from the Kings Court without remedy, Writs ſhall be provided in their caſes.

III. **Stat.** 6 *R.* 2. *Stat.* 1. 2. If in Writs of debt, accompt, and the like, it ſhall be declared, that the contract thereof was made in another County than is contained in the Original Writ, ſuch Writ ſhall be abated. *Vide Title* Arreſts, *Num.* 4.

Yarn.

I. Stat. 8 H. 6. 23. NOne ſhall export any Thrums or woollen Yarn under colour of Thrums, on pain to forfeit the double value thereof.

Yarmouth.

I. Stat. 1 *Jac. 2. cap. 16.* For 14 years, and to the end of next Seſſion of Parliament, from the 24*th* of *July* next enſuing, there ſhall be paid by every Maſter of any Veſſel, unlading in the Haven of *Great Yarmouth*, or in *Yarmouth* Road, at the time of unlading, for every Chalder of Coals (*Wincheſter* Meaſure,) Laſt of Wheat, Rye, Barley, Malt and other Grain; and for every Weigh of Salt, and every Tun of other Merchandizes (Fiſh excepted) ſuch ſum of Mony, not exceeding 12 *d.* as the Mayor, Aldermen, &c. ſhall from time to time appoint.

II. The ſaid Mayor, Aldermen, &c. may chuſe Collectors of the ſaid Mony; who ſhall pay the ſame to the Chamberlain of the ſaid Burgh.

III. There ſhall be 8, or any 5 of them, Commiſſioners appointed to take account of the Receipts and Diſburſements of the ſaid Mony. Two of whom ſhall be nominated by the ſaid Mayor, Aldermen, &c. and other two by the Mayor, Aldermen, &c. of *Norwich*, and other two by the Juſtices of Peace for the County of *Norfolk*, and other two by the Juſtices of Peace for the County of *Suffolk*, at their reſpective Quarter Seſſions; which Commiſſioners, or five of them, may from time to time call before them all entruſted with the Collection of the ſaid Mony, who are hereby required to render them a true account thereof. The ſaid Commiſſioners may appoint the Moneys due upon ſuch account, to be expended towards the uſes aforeſaid. And the Mayor of the ſaid Burgh ſhall adminiſter an Oath to the Collectors, for the faithful executing their Office in the premiſſes.

IV. The Collectors ſhall be allowed out of the ſums they receive, what the Mayor, Aldermen, &c. ſhall think fit, not exceeding 2 *d.* in the pound.

V. The Collectors may at all ſeaſonable times enter into any Veſſel within the ſaid Haven and Road, to ſee what Goods ſhall be in the ſame; And if the Mony appointed to be paid, as aforeſaid, ſhall not be paid by the Maſter, &c. the Collectors by Warrant from the Mayor, may diſtrain ſuch Veſſel, and all the furniture thereof, and keep the ſame till they be ſatisfied; and in caſe of neglect of payment of the ſaid ſums or any part thereof within ten days after diſtreſs, the Collectors may ſell the diſtreſs, and ſatisfie themſelves for the duty, and their reaſonable charges, rendring the Overplus.

VI. Provided that Fiſh, Oils and Fiſh-livers, obtain'd upon any Fiſhing-Voyage, and ſuch remainder of Salt, Bread, Beer and other Proviſion as ſhall be taken into the Veſſel for the accompliſhing any Fiſhing-Voyage, and not ſpent therein, ſhall be exempted from payment of the ſaid duty.

York.

I. Stat. 29 *H.* 6. 3. All Letters Patents granted to Citizens of *York*, to be exempt of the Offices of Mayoralty, Sheriffwick, Chamberlain, Collector of Diſmes and Quinzims, and Citizens for the Parliament, ſhall be void; and the Citizen who purchaſeth or taketh ſuch Exemption ſhall forfeit 40 *l.* to the King, and Mayor and Citizens of *York*.

II. Stat. 34 & 35 *H.* 8. 10. An Act for making of Coverlets within *York*, and none ſhall be made to put to ſale in *Yorkſhire*, but only in the Town of *York*; together with divers other good Proviſions touching that Subject. *For which ſee the Statute at large.*

THE

THE TABLE.

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14 *Gold and Silver, &c.*
15 *Staple.*
16 *Staple,*
17 *Merchants.*
18 *Staple.*
19 *Staple.*
20 *Staple.*
21 *Staple,*
22 *Staple.*
23 *Staple.*
24 *Staple.*
25 *Staple.*
26 *Merchants.*
27 *Staple.*
28 *Monaſteries.*

28 E. 3.
1 *Confirmation.*
2 *Wales.*
3 *Accuſation.*
4 *Livery, &c.*
5 *Iron.*
6 *Coronor.*
7 *Sheriff.*
8 *Attaint.*
9 *Sheriff.*
10 *London.*
11 *Robberies.*
13 *Staple.*

31 E. 3. Stat. 1.
1 *Confirmation.*
2 *Wool.*
3 *Forfeitures.*
4 *Probate of Teſt.*
5 *Gauging.*
8 *Wool.*
9 *Wool.*
10 *Victual, &c.*
11 *Adminiſtrators.*
12 *Error.*
14 *Eſcape.*
15 *County and Turn.*

31 E. 1. Stat. 2.
1 *Fiſh, Fiſhers, &c.*
2 *Fiſh, Fiſhers, &c.*
3 *Fiſh, Fiſhers, &c.*

31 E. 3. Stat. 3.
1 *Fiſh, Fiſhers, &c.*
2 *Fiſh, Fiſhers, &c.*

34 E. 3.
1 *Juſtices of Peace,*
4 *Jurors.*
7 *Attaint.*
8 *Jurors.*
12 *Forfeiture.*
13 *Eſcheators.*
14 *Eſcheators.*
15 *Tenure.*
16 *Fines.*
17 Ireland.
18 Ireland.
19 *Wool.*
22 *Hawks.*

35 E. 3.
1 *Fiſh, Fiſhers, &c.*

36 E. 3.
1 *Confirmation.*
9 *Chancery.*
10 *Parliament.*

11 *Wool.*

11 *Wool.*
12 *Justices of Peace.*
13 *Escheators.*
15 *Declaration, Pleading.*

37 E. 3.

1 *Confirmation.*
2 *Identitate nominis.*
4 *Exchequer.*
7 *Gold, Silver, &c.*
16 *Wines.*
17 *Villenage.*
18 *Accusation.*
19 *Hawks.*

38 E. 3. Stat. 1.

1 *Confirmation.*
2 *Merchants, Money.*
3 *Fines.*
4 *Obligations.*
5 *Wager of Law.*
6 *Wool.*
7 *Staple.*
8 *Ships.*
9 *Accusation.*
10 *Wines.*
11 *Wints.*
12 *Decies tantum.*

42 E. 3.

1 *Confirmation.*
3 *Accusation.*
4 *Commission, &c.*
5 *Escheators.*
9 *Estreats, Sheriffs.*
10 *Ability.*
11 *Pannel.*

43 E. 3.

1 *Wool.*
2 *Wines.*
3 *Butler of the King.*

45 E. 3.

1 *Confirmation.*
2 *Wears.*
3 *Prohibition.*
4 *Wool.*

50 E. 3.

1 *Confirmation.*
2 *Confirmation.*
3 *Arrests.*
4 *Prohibition.*
5 *Arrests.*
6 *Fraudulent Conveyances.*
7 *Drapery.*
8 *Drapery.*

Stat. of 1 R. 2.

1 *Confirmation.*
2 *Peace.*
4 *Maintenance.*
5 *Exchequer.*
7 *Liveries of Companies.*
8 *Protection.*
9 *Feoffments.*
11 *Sheriff.*
12 *Debt.*
13 *Dures st.*
14 *Tithes.*
15 *Arrests.*

2 R. 2. Stat. 2.

1 *Merchant.*
5 *News.*

2 R. 2. Stat. 1.

1 *Confirmation.*
3 *Debt.*

3 R. 2.

1 *Confirmation.*
2 *Drapery.*
3 *Proviso.*

4 R. 2.

1 *Gauging.*
1 *Confirmation.*
2 *Mony.*
3 *Ships.*
7 *Forcible entry.*
9 *Exchequer.*
10 *Captains, &c.*
11 *Exchequer.*
12 *Exchequer.*
13 *Exchequer.*
14 *Exchequer.*

15 *Exchequer.*
16 *Exchequer.*

5 R. 2. Stat. 2.
1 *Merchants.*
4 *Parliament.*

6 R. 2. Stat. 1.
1 *Confirmation, Franchiſes.*
2 *Writs.*
3 *Nuſance.*
4 *Inrolments.*
5 *Juſtices of Aſſize.*
6 *Rape.*
7 *Wines.*
8 *Ships.*
9 *Victual, &c.*
10 *Victual, &c.*

7 R. 2.
1 *Franchiſes.*
2 *Confirmation.*
3 *Foreſts.*
4 *Foreſts.*
6 *Robberies.*
7 *Niſi prius.*
9 *Drapery.*
10 *Aſſizes.*
12 *Proviſo.*
13 *Armour.*
14 *Attorny.*
15 *Maintenance.*

8 R. 2.
2 *Confirmation.*
3 *Juſtices of Aſſize.*
4 *Recognizance.*

9 R. 2.
1 *Confirmation.*
2 *Villenage.*
3 *Attaint.*
5 *Marſhalſey.*

11 R. 2.
7 *Merchants.*
8 *Patents.*
9 *Taxes.*
10 *Seals.*
11 *Juſtices of Aſſize.*

12 R. 2.
1 *Confirmation.*
2 *Officers.*
10 *Juſtices of Peace.*
11 *News.*
12 *Parliament.*
13 *Infections.*
15 *Proviſo.*
16 *Staple.*

13 R. 2. Stat. 1.
1 *Incumbent.*
2 *Conſtable.*
3 *Marſhalſey.*
4 *Clerk of the Market.*
5 *Admiralty.*
6 *Serjeant at Arms.*
7 *Juſtices of Peace.*
8 *Victual.*
9 *Weights, Wool.*
10 *Drapery.*
11 *Drapery.*
13 *Hunters and Hunting.*
14 *Exchequer.*
15 *Priſon, &c.*
16 *Protection.*
17 *Receit.*
18 *Attaint.*
19 *Fiſh, Fiſhers, &c.*

13 R. 2. Stat. 2.
1 *Pardon.*
2 *Proviſo.*
3 *Proviſo.*

14 R. 2.
1 *Staple.*
2 *Exchange.*
3 *Staple.*
4 *Staple.*
5 *Ships.*
8 *Gauging.*
9 *Merchants.*
10 *Cuſtoms, &c. Officers.*
11 *Juſtices of Peace.*

15 R. 2. Stat. 1.
1 *Confirmation.*
2 *Forcible entry.*

3 *Admiralty.*
4 *Weights.*
5 *Mortmain.*
6 *Appropriations.*
9 *Staple.*
12 *Freehold.*

16 R. 2.

1 *Merchants.*
2 *Drapery.*
3 *Weights.*
5 *Proviſo.*

17 R. 2.

1 *Mony.*
2 *Drapery.*
3 *Worſteds.*
4 *Malt.*
5 *Officers.*
6 *Accuſation.*
8 *Ryots, &c.*
9 *Fiſh, Fiſhers, &c.*
10 *Juſtices of G.D.*

17 R. 2.

1 *Armour.*
3 *Juſtices of Aſſize.*
4 *Merchants.*
5 *Horſes, &c.*

Statutes of 1 H. 4.

1 *Confirmation.*
4 *Confirmation.*
6 *Patents.*
8 *Aſſizes.*
10 *Towns.*
11 *Sheriffs.*
12 *Wears.*
13 *Officers.*
14 *Appeals.*
15 London.
18 Cheſter, *&c.*

2 H. 4.

1 *Confirmation, Franchiſes.*
3 *Proviſo.*
4 *Proviſo.*
5 *Mony.*
7 *Non-ſuit.*
8 *Chirographers.*
10 *Clerks of the Crown.*
11 *Admiralty.*
23 *Marſhalſey.*

4 H 4.

1 *Confirmation.*
2 *Clergy, Spirituality.*
3 *Clergy, Spiritnality.*
5 *Sheriffs.*
7 *Feoffments.*
8 *Aſſizes.*
9 *Commiſſion.*
10 *Mony.*
11 *Wears.*
12 *Appropriations.*
13 *War.*
15 *Merchants.*
18 *Attorny.*
19 *Attorny.*
20 *Cuſtoms, &c. Officers, Ships.*
22 *Incumbent.*
23 *Judgment.*
24 *Drapery.*

5 H. 4.

2 *Pardon.*
3 *Watches.*
4 *Felony.*
5 *Felony.*
6 *Aſſault.*
7 *Merchants.*
8 *Wager of Law.*
9 *Merchants.*
10 *Priſon, &c.*
11 *Tithes.*
12 *Recognizance.*
13 *Gold, Silver, &c.*
14 *Fines* 16.

8 H. 4.

3 *Account.*
4 *Merchants.*

7 H. 4.

1 *Confirmation.*
2 *Crown.*
3 *Eſtreats.*

4 *Protection.*
7 *Arrow-heads.*
8 *Proviso.*
9 *Merchants.*
11 *Commission, &c.*
13 *Attorny.*
15 *Parliament.*

9 H. 4.

1 *Confirmation.*
2 *Drapery.*
4 Wales.
5 *Conusance.*
7 *Taxes.*

11 H. 4.

1 *Parliament.*
2 *Customs, &c.*
3 *Justices of Assize.*
5 *Mony.*
6 *Drapery.*
8 *Exchange.*
9 *Indictments.*

13 H. 4.

1 *Confirmation.*
5 *Officers.*
6 *Mony.*
7 *Ryots.*

Statutes of 1 H. 5.

1 *Parliament.*
2 *Wears.*
3 Ireland.
4 *Sheriff.*
5 *Addition.*
10 *Weights.*

2 H. 5. Stat. 1.

1 *Hospitals, &c.*
2 *Corpus cum causa, &c.*
3 *Libel.*
4 *Justices of Peace.*
5 *Tindale.*
6 *Breakers of Leagues, &c.*
7 *Ryots, &c.*
8 *Ryots, &c.*

2 H. 5. Stat. 2.

1 *Justices of Peace.*
3 *Jurors.*
4 *Gold, Silver, &c.*
5 *Wales.*
6 *Wool.*

3 H. 5.

1 *Confirmation.*
4 *Proviso.*
5 *Attaint.*
6 *Mony.*
7 *Mony.*

4 H. 5.

1 *Confirmation.*
2 *Sheriff.*
5 *Merchants.*

7 H. 5.

1 *Conspiracy.*

8 H. 5.

2 *Wool.*
3 *Gold, Silver, &c.*

9 H. 5. Stat. 1.

1 *Conspiracy.*
1 *Amendments.*
7 *Tindale.*
10 Newcastle.
11 *Mony.*

Stat. of 1 H. 6.

1 *Mony.*

2 H. 6.

1 *Confirmation.*
2 *Hospitals.*
6 *Mony.*
8 Ireland.
9 *Mony.*
10 *Offices.*
11 *Weights.*
12 *Mony.*
14 *Gold, Silver, &c.*
15 *Havens and Rivers.*

3 H. 6.

1 *Measons.*
2 *Sheep.*
3 *Customs, &c.*
4 *Butter.*

4 H. 6.

3 *Amendments.*

6 H. 6.

1 *Process.*
2 *Assizes.*
4 *Parliament.*
5 *Sewers.*

18 H. 6.

1 *Parliament.*
3 *Sewers.*
5 *Weights.*
7 *Parliaments.*
9 *Forcible entry.*
10 *Process.*
12 *Amendment.*
13 *Amendments.*
14 *Ryots, &c.*
16 *Escheators.*
~~22 *Wool.*~~
23 *Yarn.*
26 *Conusance.*
27 *Passage.*
28 *Bridges.*
29 *Trial.*

9 H. 6.

4 *Identitate nominis.*
5 *Passage.*
6 *Weights.*
8 *Weights.*
11 *Bastardy.*

10 H. 6.

1 *Staple.*
2 *Parliament.*
4 *Apprearance.*
6 *Process.*
8 *Justices of the Benches.*

11 H. 6.

3 *Assizes.*
3 *Feoffments.*
4 *Attaint.*
5 *Waste.*
6 *Discontinuance of Process.*
8 *Weights.*
9 *Drapery.*
10 *Recognizance.*
11 *Assault.*
12 *Wax.*
15 *Customs, &c.*

14 H. 6.

1 *Nisi prius.*
3 *Justices of Assize.*
4 *Justices of Peace.*
5 *Wool.*

15 H. 6.

1 *Marshalsey.*
3 *Safe Conduct.*
4 *Accusation.*
5 *Attaint.*
8 *Ships.*

18 H. 6.

1 *Patent.*
2 *Attaint.*
3 *Butter.*
5 *Collectors.*
6 *Escheators.*
7 *Escheators.*
8 *Safe Conduct.*
9 *Appearance.*
10 *Sewers.*
11 *Justices of Peace.*
12 *Conspiracy.*
17 *Ganging.*
18 *Captains, &c.*
19 *Captains, &c.*

20 H. 6.

1 *Safe Conduct.*
4 *Customs, &c.*
5 *Customs, &c.*
8 *Purveyors.*
9 *Trial.*

23 H. 6.

7 *Northumberland.*

8 *Sheriff.*
9 *Sewers.*
10 *Sheriff.*
11 *Parliament.*
13 *Victual, &c.*
15 *Parliament.*
16 *Gauging.*
17 *Escheators.*
18 *Wines.*

27 H. 6.
5 *Fairs and Markets.*

28 H. 6.
5 *Extortion.*

29 H. 6.
1 *York.*

31 H. 6.
4 *Aliens.*
5 *Officers.*
9 *Women, &c.*

33 H. 6.
1 *Executor.*
2 Lancaster.
7 *Attorny.*

39 H. 6.

Statutes of E. 4.
1 *Confirmation.*
2 *Sheriff.*

3 E. 4.
4 *Merchants.*

4 E. 4.
1 *Drapery.*
8 *Horners.*

7 E. 4.
1 *Worsteds.*
2 *Drapery.*
3 *Drapery.*
5 *Tenure.*

8 E. 4.
3 *Jurors.*

12 E. 4.
1 *Sheriffs.*
2 *Bows.*
6 *Sewers.*
7 *Wears.*
8 *Victual, &c.*
9 *Escheators.*

14 E. 4.
4 *Breakers of Leagues.*

17 E. 4.
1 *Merchant.*
2 *Fairs and Markets.*
4 *Tiles.*
5 *Drapery.*
6 *Sheriff.*

22 E. 4.
4 *Fish, Fishers.*
6 *Swans.*
7 *Forest.*
8 Berwick.

Statutes of 1 R. 3.
1 *Uses.*
2 *Taxes.*
3 *Escape, Forfeiture.*
4 *Jurors.*
6 *Fairs and Markets.*
7 *Fines.*
8 *Drapery.*
2 *Aliens, Merchants.*
11 *Bows.*
12 *Merchants.*
13 *Weights.*
14 *Accompt.*

Statutes of 1 H. 7.
1 *Uses.*
2 *Customs, &c.*
4 *Incontinency of Priests.*
7 *Felony.*

3 H. 7.

1 *Execution of Statutes.*
Indictments.
Justices of Peace.
Murther.
2 *Felony.*
3 *Mainprize.*
4 *Uses.*
7 *Customs, &c.*
8 *Merchants.*
9 *Fairs and Markets.*
10 *Damages and Costs.*
11 *Drapery.*
14 *Felony.*

4 H. 7.

1 *Sewers.*
2 *Gold and Silver.*
3 *Butchers.*
10 *Ships.*
12 *Justices of Peace.*
13 *Clergy.*
14 *Seals.*
15 *Havens and Rivers.*
16 *Isle of* Wight.
20 *Actions popular.*
24 *Fines.*

7 H. 7.

1 *Captains.*
3 *Weights.*
4 *Challenge.*

11 H. 7.

1 *Forfeiture.*
4 *Weights.*
5 Southampton.
6 *Customs.*
9 *Tindale.*
11 *Worsteds.*
12 *Poor people.*
13 *Houses, &c.*
14 *Customs, &c.*
15 *Sheriff.*
16 *Sheriff.*
17 *Pheasants and Partridges.*
18 *War.*
19 *Upholsters.*
20 *Discontinuance.*
21 *Attaint.*
23 *Fish, Fishers.*
27 *Fustians.*

12 H. 7.

1 *Apprentice.*
5 *Weight.*
9 *Merchants.*
5 *Clergy.*

19 H. 7.

6 *Mony.*
7 *Brass.*
8 *Corporation, Taxes.*
9 *Process.*
10 *Prison, &c.*
11 *Hunters.*
13 *Ryots, &c.*
15 *Uses.*
18 *Passage.*
20 *Damages and Costs.*
21 *Silk.*
23 *Stil-yard.*
24 *County and Turn.*

Stat. of 1 H. 8.

5 *Customs, &c.*
7 *Coronor.*
8 *Escheator.*
9 *Stanes.*
10 *Escheators.*

8 H. 8.

5 *Captains, &c.*
7 *Drapery.*
8 *Victual, &c.*
11 *Physicians.*
14 *Oyl.*

4 H. 8.

2 *Trial.*
3 *Jurors.*
6 *Customs, &c.*
7 *Brass.*

5 H. 8.

2 *Drapery.*
3 *Drapery.*

4 *Worsteds.*
5 *Jurors.*
6 *Physicians.*

6 H. 8.

4 *Exigent and Utlawry.*
6 *Prison.*
8 *Drapery.*
2 *Drapery.*
10 *Sewer.*
15 *Patents.*
16 *Parliament.*
18 *Sheriff.*

7 H. 8.

4 *Recoveries.*

14, 15 H. 8.

2 *Aliens.*
3 *Worsteds.*
4 *Englishmen.*
6 *High ways.*
10 *Hunters and Hunting.*
11 *Drapery.*
12 *Mony.*
13 *Southampton.*

21 H. 8.

3 *Assizes.*
4 *Executors.*
5 *Probate of Test.*
6 *Mortuaries.*
7 *Felony.*
11 *Restitution.*
12 *Cables.*
13 *Residence.*
15 *Recoveries.*
16 *Aliens.*
18 *Newcastle.*
19 *Avowry.*
20 *Execution of Statutes.*

22 H. 8.

2 Plumstead *Marsh.*
4 *Corporation.*
5 *Bridges.*
8 *Aliens.*
1 *Egyptians.*
1 *Felony.*
1 *Aliens.*

23 H. 8.

1 *Clergy.*
2 *Prison, &c.*
3 *Attaint.*
4 *Coopers.*
5 *Sewers.*
6 *Recognizance.*
8 *Havens and Rivers.*
9 *Citation.*
10 *Mortmain.*
11 *Clergy.*
12 *Passage.*
43 *Jurors.*
14 *Process.*
15 *Damages and Costs.*
17 *Wool.*
18 *Havens and Rivers.*

24 H. 8.

5 *Forfeiture.*
8 *Damages and Costs.*
11 *Paving.*
12 *Appeals to* Rome.

25 H. 8.

2 *Victual, &c.*
3 *Clergy.*
5 *Worsteds.*
6 *Felony.*
9 *Brass.*
10 *Sewers.*
11 *Wild fowl.*
13 *Sheep.*
15 *Books.*
16 *Residence.*
18 *Drapery.*
19 Rome.
20 Rome.
21 Rome.

26 H. 8.

3 *First-fruits, &c.*
4 Wales.
5 *Passage.*
6 Wales.
7 *High-ways.*
8 *First-fruits.*
9 Lynn.
12 *Clergy.*

13 *Treason*

13 *Treaſor.*
14 *Biſhops.*
15 Richmond.
17 *Firſt-fruits.*

27 H. 8.

1 *Towns.*
4 *Trial.*
5 Cheſter, *&c.*
6 *Horſes.*
7 Wales.
8 *Firſt-fruits.*
10 *uſes.*
11 *Clerks of the Signet.*
12 *Drapery.*
13 *Drapery.*
14 *Cordwainers, &c.*
16 *Infarmers.*
17 *Eccleſ. Juriſd.*
18 *Havens and Rivers.*
20 *Tithes.*
23 *Havens and Rivers.*
24 *Franchiſes.*
26 Wales.
27 *Monaſteries.*

28 H. 8.

1 *Clergy.*
4 *Linen-cloth.*
5 *Corporation.*
11 *Tithes.*
12 *Palace.*
13 *Reſidence.*
14 *Weights, Wines.*
15 *Trial.*
16 *Diſpenſation.*

31 H. 8.

1 *Partition.*
2 *Fiſh, Fiſhers, &c.*
3 *Cuſtoms and uſages.*
4 *Havens and Rivers.*
5 *Honours.*
6 *Ability.*
10 *Lords.*
13 *Monaſteries.*

32 H. 8.

1 *Wills.*
2 *Limitation.*
5 *Execution.*
7 *Tithes.*
9 *Maintenance.*
13 *Horſes, &c.*
14 *Ships.*
16 *Aliens.*
17 *Paving.*
18 *Towns.*
19 *Towers.*
20 *Franchiſes.*
21 *Days in bank.*
22 *Firſt-fruits.*
24 Saint Johns.
28 *Leaſes.*
30 *Repleader.*
32 *Partition.*
33 *Entry lawful.*
34 *Conditions.*
35 *Foreſts.*
36 *Fines.*
37 *Rents.*
38 *Matrymony.*
40 *Phyſicians.*
42 *Phyſicians.*
43 Cheſter, *&c.*
47 *Firſt-fruits.*

33 H. 8.

1 *Counterfeit Letters.*
3 *Drapery.*
4 *Braſs.*
6 *Croſs-bows.*
7 *Braſs.*
9 *Plays.*
12 *Tryal.*
13 Cheſter, *&c.* Wales.
16 Norwich.
17 *Flax and Hemp.*
19 *Drapery.*
20 *Treaſon.*
21 *Parliament.*
22 *Eſcheator.*
23 *Challenge, Trial.*
24 *Juſtice of Aſſize.*
27 *Corporation.*
28 *Reſidence.*
29 *Ability.*
32 *White-gate.*
33 Hull.

36 Towns.
37 Honors.
38 Honors.
39 Courts.

34, 35 H. 8.

2 Receivers.
4 Bankrupts.
5 Wills.
8 Physicians.
9 Havens and Rivers, Severn.
10 York.
12 Paving.
13 Chester, &c.
14 Certificate of the, &c.
16 Sheriff.
17 First-fruits.
19 Pensions.
20 Recoveries.
21 Patents.
22 Informers.
24 Cambridge, &c.
26 Wales.

35 H. 8.

1 Crown.
2 Treason.
4 Towns.
6 Jurors.
9 Wapping Marsh.
10 London.
11 Parliament.
13 Walsingham.
15 Cambridge, &c.
16 Wood.

37 H. 8.

1 Custos Rotulorum.
2 Hounslow-Heath.
3 High-ways.
4 Monasteries.
5 Attaint.
6 Burning of Carts, &c.
8 Clergy, Indictments.
9 Usury.
12 Tithes.
14 Scarborough.
15 Wool.
16 Lancaster.
19 Fines.
21 Union, &c. of Churches.
23 Wines.

Statutes of 1 E. 6.

1 Service and Sacraments.
2 Bishops.
5 Horses, &c.
6 Norwich, Wool.
7 Discontinuance of Process.
8 Patents.
9 Union, &c. of Churches.
10 Exigent and Utlawry.
12 Challenge, Clergy, Dower, Felony, Treason.
14 Monasteries.

2, 3 H. 6.

1 Service and Sacraments.
2 Captains.
4 Sheriffs.
6 Fish, Fishers, &c.
8 Escheators.
10 Malt.
13 Tithes.
14 Cross-bows, &c.
15 Labourers, Victual.
19 Holy-days.
20 First-fruits.
21 Matrimony.
22 Customs, &c.
24 Trial.
25 County and Turn.
26 White-ashes.
27 Steel.
28 Fines.
30 Rye and Winchelsie.
31 Chester, &c.
33 Clergy.
34 Sheriff.
37 Brass.

3, 4 E. 6.

1 Custos Rotulorum.
2 Drapery.
3 Approvements.
4 Grants.
8 Sewers.

10 *Books.*
13 *Bishops.*
19 *Calves.*
21 *Butter.*

5, 6 E. 6.

1 *Service and Sacraments.*
3 *Holy-days.*
4 *Fighting and Quarrelling.*
6 *Drapery.*
8 *Drapery.*
9 *Clergy.*
10 *Clergy.*
11 *Treason.*
12 *Matrimony.*
13 *Ability.*
14 *Forestallers, &c.*
15 *Cordwainers, &c.*
16 *Officers.*
19 *Exchange.*
22 *Gigmils.*
23 *Upholsters.*
24 Norwich.
25 *Ale-houses.*

7 E. 6.

1 *Receivers.*
3 *Patents.*
4 *First-fruits.*
5 *Wines.*
7 *Fuel.*
15 Durham.

Statutes of 1 M.
Parl. 1. Sess. 2.

1 *Felony, Treason.*

1 M. Parl. 1 Sess. 1.

3 *Service and Sacraments.*
4 *Deeds and Writings.*
3 *Limitation.*
7 *Fines.*
8 *Sheriff.*
9 *Physicians.*
10 *Courts.*
14 *Union, &c. of Churches.*

1 M. Parl. 2.

1 *Queen.*
5 *High-ways.*
7 *Drapery.*
8 *Cordwainers, &c.*
11 *Sewers.*

1, 2 P. M.

4 *Egyptians.*
5 *Victual, &c.*
7 *Towns.*
8 *Bishops.*
10 *Treason.*
11 *Treason.*
12 *Distress.*
13 *Mainprize.*
14 Norwich.
15 Wales.

2, 3 P. M.

3 *Calves.*
7 *Fairs and Markets.*
8 *High-ways.*
9 *Plays.*
10 *Mainprize.*
11 *Drapery.*
12 *Drapery.*
13 *Wool.*
15 *Universities.*
16 *Passage.*
18 *Justices of Peace.*
20 Lancaster.

4, 5 P. M.

1 *Patents.*
3 *Musters.*
4 *Clergy.*
5 *Drapery.*
7 *Jurors.*
8 *Women, &c.*

Statutes of 1 Eliz.

1 *Crown.*
2 *Service and Sacraments.*
3 *Crown.*
4 *First-fruits.*
11 *Merchants.*
12 *Linen-cloth.*
13 *Ships.*
15 *Wood.*
17 *Fish, Fishers, &c.*
Not Printed, *Leases.*

5 Eliz.

1 *Crown.*
4 *Labourers.*
5 *Ships.*
7 *Wears.*
9 *Perjury, Witness.*
10 *Felony.*
11 *Treason.*
12 *Corn, &c.*
13 *High-ways, &c.*
14 *Forger of false Deeds.*
15 *Prophecies.*
17 *Felony.*
18 *Keeper of the Great Seal.*
20 *Egyptians.*
21 *Fish, Fishers, &c.*
22 *Cordwainers, &c.*
23 Excommunicato capiendo.
24 *Prison, &c.*
25 *Juror.*
26 *Informers.*
27 Durham.
28 *Service and Sacraments.*

8 Eliz.

1 *Process.*
3 *Ships.*
4 *Clergy.*
5 *Admiralty.*
6 *Drapery.*
7 *Drapery.*
8 *Horses.*
9 *Coopers.*
14 *Bows.*
11 *Hats and Caps.*
12 *Drapery.*
16 *Sheriff.*

13 Eliz.

2 *Crown.*
4 *Debt to the King.*
6 *Fraudulent Conveyances.*
6 *Grants.*
7 *Bankrupts.*
8 *Usury.*
9 *Sewers.*
10 *Dilapidations, Leases.*
11 *Ships.*
12 *Spiritual Laws.*
13 *Corn, &c.*
14 *Bows.*
15 *Ships.*
17 *Hospitals.*
18 *Lee River.*
20 *Leases.*
21 Ipswich, *universities.*
22 *Sheriff.*
23 *Paving.*
25 *Forestallers, Poison, Wood.*

14 Eliz.

3 *Mony.*
7 *Debt to the King.*
8 *Recoveries.*
9 *Jurors.*
10 *Prison.*
11 *Dilapidations, Leases.*
13 *Felony, Haxtmshire.*
Not Printed, *Hospitals.*

18 Eliz.

1 *Treason.*
2 *Patents.*
3 *Bastardy.*
5 *Informers.*
9 *Leases.*
7 *Clergy.*
8 Wales.
9 *Cordwainers, &c.*
10 *High ways.*
11 *Leases.*
12 *Nisi prius.*
14 *Ieofail.*
15 *Gold, Silver, &c.*
17 *Bridges.*
19 *Paving.*
20 *Bridges.*
21 *Towns.*
25 *Hospitals.*

23 Eliz.

1 *Crown.*
3 *Error.*
5 *Wood.*
8 *Wax.*
9 *Drapery.*
10 *Pheasants and Partridges.*
11 *Bridges.*

12 *Paving*

12 *Paving.*
13 *Plumſtead Marſh.*

27 Eliz.

2 *Crown.*
3 *Debt to the King.*
4 *Fraudulent Conveyances.*
5 *Demurrers.*
6 *Jurors.*
7 *Sheriff.*
8 *Error.*
9 Wales.
12 *Sheriff.*
13 *Robberies.*
17 *Drapery.*
18 *Drapery.*
19 *Wood.*
20 *Havens and Rivers.*
21 *Havens and Rivers.*
24 *Banks.*
25 *Bridges.*
27 *Plumſtead Marſh.*
Not Printed *Hoſpitals.*

29 Eliz.

1 *Treaſon.*
4 *Sheriff.*
5 *Informers.*
6 *Crown.*

31 Eliz.

1 *Error.*
2 *Fines.*
3 *Exigent and utlawry.*
4 *Armour.*
5 *Actions popular.*
6 *Election.*
7 *Cottages and Inmates,*
8 *Gauging.*
9 Durham.
10 *Informers.*
11 *Forcible entry.*
22 *Fairs and Markets.*

35 Eliz.

1 *Crown.*
2 *Crown.*
3 *Patents.*
7 *Ships.*
8 *Cables.*
9 *Drapery.*
10 *Drapery.*
11 *Clapboard.*

39 Eliz.

1 *Vagabonds.*
5 *Hoſpitals, &c.*
6 *Hoſpitals, &c.*
8 *Biſhops.*
9 *Clergy.*
10 *Ships.*
11 *Drapery.*
13 *Fuſtians.*
14 *Drapery.*
15 *Clergy.*
16 *Malt.*
17 *Vagabonds.*
19 *High-ways.*
20 *Drapery.*
22 Norwich.
23 *Bridges.*
24 *Bridges.*
25 *Robberies.*

43 Eliz.

1 *Patents.*
2 *Poor people.*
3 *Captains, &c.*
4 *Hoſpitals.*
5 Corpus cum cauſa.
6 *Damages and coſts, Sheriff.*
7 *Treſpaſs.*
8 *Executors.*
9 *Leaſes, Ships.*
10 *Drapery.*
11 *Approvements.*
12 *Merchants.*
14 *Fuel.*
15 Cheſter, *&c.*
16 *Bridges.*

Statutes of 1 Jac.

1 *Crown.*
2 England *and* Scotland.
3 *Biſhops.*
4 *Crown.*
5 *Lett.*

6 *La-*

6 *Labourers.*
7 *Vagabonds.*
8 *Clergy.*
9 *Ale-houses.*
10 *Justice and Right, &c.*
11 *Matrimony.*
12 *Conjuration, &c.*
13 *Execution.*
15 *Bankrupts.*
16 *Passage.*
17 *Hats and Caps.*
18 *Hops.*
19 *Spice.*
20 *Painters.*
21 *Brokers.*
22 *Cordwainers, &c.*
23 *Ships.*
25 *Drapery, Poor people.*
26 *Exchequer.*
27 *Pheasants and Partridges.*
28 Barwick.
31 *Plague.*

3 Jac.

1 *Service and Sacramnts.*
4 *Crown.*
5 *Crown.*
6 *Merchants.*
7 *Attorny.*
8 *Execution.*
9 *Merchants.*
10 *Prison.*
11 *Malt.*
12 *Fish, Fishers, &c.*
13 *Hunters and hunting.*
14 *Sewers.*
15 *Debt.*
16 *Drapery.*
17 *Drapery.*
18 *Havens and Rivers.*
21 *Players.*
22 *Paving.*
23 *Bridges.*
24 *Bridges.*

4 Jac.

1 England *and* Scotland.
2 *Drapery.*
3 *Damages and Costs,*
4 *Ale-houses.*
5 *Ale-houses.*
6 *Cordwainers, &c.*
8 *Marshes and Fens.*
9 *Merchants.*
10 Southampton.
11 *Husbandry.*
12 *Havens and Rivers.*
13 *Marshes and Fens.*

7 Jac.

1 England *and* Scotland.
2 *Crown.*
3 *Poor people.*
4 *Bastardy, Vagabonds.*
5 *Evidence.*
6 *Crown.*
7 *Drapery.*
8 *Calves.*
9 Chelsey.
10 *Ale-houses.*
11 *Pheasants and Partridges.*
12 *Debt.*
13 *Hunters and Hunting.*
14 *Horners.*
15 *Debt to the King.*
16 *Husbandry.*
18 *Drapery.*
20 *Marshes and Fens.*
21 *Copyholds.*

21 Jac.

2 *Limitation.*
3 *Monopolies.*
4 *Actions popular.*
5 *Sheriff.*
6 *Clergy.*
7 *Ale-houses.*
8 Corpus cum causa, *&c.*
12 *Evidence.*
13 *Jeoffail.*
14 *Intrusion.*
15 *Forcible entry.*
16 *Damages and Costs, Limitation, Trespass.*
17 *usury.*
18 *Drapery.*
19 *Bankrupts.*
20 *Swearing and Cursing.*

21 *Victual, &c.*
22 *Butter.*
23 Corpus cum cauſa.
24 *Execution.*
25 *Patents.*
26 *Felony.*
27 *Baſtardy.*
28 *Horſes, &c.*
29 *Patents.*
32 *Paſſage.*
35 *Pardon.*

Statutes of 1 Car.

1 *Holy-days.*
2 *Patents.*
3 *Alienation without Licence.*
4 *Ale-houſes.*

3 Car.

1 *Holy-days.*
2 *Crown.*
3 *Ale-houſes.*
4 *Baſtardy, Corn, Poor people.*

16, 17 Car.

1 *Parliament.*
2 *War.*
3 *War.*
4 *War.*
5 *War.*
6 *Days in bank.*
7 *Parliaments.*
9 *War.*
10 *Courts.*
11 *Crown.*
13 *War.*
14 *Taxes.*
15 *Courts.*
16 *Foreſts.*
17 England *and* Scotland.
18 England *and* Scotland.
19 *Clerk of the Market.*
20 *Knights.*
21 *Gun-powder.*
24 *Captives.*
27 *Ability.*
30 Ireland.
33 Ireland.
34 Ireland.
35 Ireland.
37 Ireland.

Statutes of 12 Car. 2.

1 *Parliament.*
3 *Diſcontinuance of Proceſs. Proceſs.*
4 *Cuſtoms, Merchandize.*
11 *Pardon.*
12 *Confirmation.*
13 *Uſury.*
14 *Holy-days and Faſting-days.*
16 *Captains and Souldiers.*
17 *Miniſters.*
18 *Ships and Shipping.*
19 *Cuſtoms.*
22 *Drapery.*
23 *Exciſe.*
24 *Tenures.*
25 *Wines.*
30 *Attainder, Holy-days and Faſting-days.*
32 *Wool.*
33 *Matrimony and Marriage.*
34 *Tobacco.*
35 *Poſt-Office.*

13 Car. 2.

1 *Treaſon, King, Parliament.*
3 *Accounts.*
4 *Taxes, &c.*
5 *Petition.*
6 *Militia.*
9 *Ships and Shippings.*
10 *Hunters and Hunting.*
12 *Crown.*
13 *Accounts.*
15 *Pains and Penalties.*

13 Car. 2. Second Seſſi.

1 *Corporations.*
2 *Mainprize and Bail, Priſon and Priſoners, Proceſs, Execution, Damages and Coſts.*
4 Cornwall.

13 & 14 Car. 2.

1 *Nonconformiſts.*
2 *High-ways.*
3 *Militia.*

4 *Service and Sacraments.*
5 *Worsteds.*
6 *High ways.*
7 *Cordwainers, Currers and Tanners.*
9 *Captains and Souldiers.*
10 *Hearth-mony.*
11 *Customs.*
12 *Poor people.*
13 *Merchants and Merchandize.*
14 *Accounts.*
15 *Silk and Silk-throwing.*
16 *Accounts.*
17 *Collectors.*
18 *Felony.*
19 *Merchants and Merchandize.*
20 *Purveyors.*
21 *Sheriffs.*
22 *Robbery.*
23 *Merchants and Merchandize.*
24 *Bankrupts.*
25 *Rectories.*
26 *Butter and Cheese.*
27 *Havens.*
28 *Fish and Fishers.*
29 *Attainder.*
31 *Mony.*
32 *Drapery.*
33 *Books.*

15 Car. 2.

1 *High-Ways.*
2 *Wood.*
4 *Militia.*
5 *Vestry-men.*
6 *Service and Sacrament.*
7 *Trade.*
8 *Butchers.*
11 *Excise.*
12 *Excise.*
13 *Hearth-mony.*
14 *Post-Office, wines.*
15 *Linen-cloth.*
16 *Fish and Fishing.*
17 *Marshes and Fens.*

16 Car. 2.

1 *Parliament.*
2 *Error.*
3 *Hearth-mony.*
4 *Conventicles.*
5 *Sea and Seamen.*
7 *Plays and Games.*

16 & 17 Car. 2.

2 *Coals.*
3 *Jurors.*
4 *Excise.*
5 *Recognizance, &c.*
6 *Accounts.*
8 *Jeoffail, Execution.*
9 *Affidavits.*
10 *High-ways.*
11 *Marshes and Fens.*
11 *Havens, &c.*

17 Car. 2.

2 *Nonconformists.*
3 *Union and severing of Churches.*
5 *Attainder.*
6 *Damage clear.*
7 *Avowry.*
8 *Error, XIX.*

18 Car. 2.

2 *Calves and other Cattle.*
3 *Robbery.*
4 *Burials.*
5 *Mony.*

19 Car. 2.

2 London.
3 London.
4 *Prison and Prisoners.*
5 *Avowry.*
6 *Estates for lives.*
7 *Sea and Seamen.*
9 *Accounts.*
11 *Prize-ships.*
12 *Exchequer.*
13 England *and* Scotland.

20 Car. 2.

2 *Collectors.*
3 *Wood.*
4 *Error.*
5 *Cordwainers and Currers.*
6 *Silk-throwing.*

7 *Calves and other Cattle.*
8 *Marshes and Fens.*

22 Car. 2.

1 *Conventicles.*
2 *Havens, &c.*
4 *Excise.*
5 *Clergy.*
6 *Fee-farm-Rents.*
7 Cornwall.
8 *Weights and Measures.*
9 England *and* Scotland.
11 London.
12 *High-ways.*
13 *Trade, Calves and other Cattle.*

22 & 23 Car. 2.

1 *Felony.*
2 *Recognizance, &c.*
4 *Jeoffail, Execution.*
6 *Wine.*
7 *Felony.*
8 *Drapery.*
9 *Damages and Costs.*
10 *Administrators.*
11 *Ships and Shipping.*
12 *Weights and Measures.*
13 *Beer, Ale and Mum.*
14 London.
15 London.
16 *Poor people.*
17 London.
18 *Poor people.*
19 *Calves, &c.*
20 *Prison and Prisoners.*
21 *Accounts.*
22 *Fines, Amerciaments, &c.*
23 *Sea and Seamen.*
24 *Fee-farm Rents.*
25 *Hunters and Hunting.*
26 *Tobacco.*

25 Car. 2.

2 *Crown.*
3 Cornwall.
5 *Pardon.*
6 *Aliens.*
7 *Trade.*
8 *Mony.*
9 Durham.

27 Car. 2.

Northampton.

29 Car. 2.

3 *Frauds, &c.*
4 Southwark.
5 *Affidavit.*
6 *Aliens.*
7 *Holy-days and Fasting-days.*
8 *Parson, Parsonage and Vicaridge.*
9 *Heretick.*

29 & 30 Car. 2.

1 *Captains and Souldiers.*
2 *Robbery.*

30 Car. 2.

3 *Burials.*
4 *Prison and Prisoners.*
5 *High-ways.*
6 *Administrators, Error.*
7 *Executors.*
8 Newcastle.
9 *Severn.*
Parliament.

31 Car. 2.

1 *Taxes, &c.*
2 Habeas Corpus.
3 *Fines.*

1 Jac. 2.

1 *Customs, Excise.*
3 *Customs.*
4 *Customs.*
5 *Customs.*
7 *Mony.*
8 *Armour, Arms.*
9 Cornwall.
10 *Purveyors.*
11 *Purveyors.*
12 *Post-Office, Wines.*
13 *Cordwainers.*
14 *Robberies.*
15 London.
16 Yarmounth.
17 *Poor people, Sheriffs, Administrators, Error, Exchequer, Calves, &c.*

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